

**बिड दस्तावेज़ / Bid Document**

| बिड विवरण / Bid Details   |  |
|---|--|
| बिड बंद होने की तारीख/समय / Bid End Date/Time   | 27-06-2025 12:00:00  |
| बिड खुलने की तारीख/समय / Bid Opening Date/Time  | 27-06-2025 12:30:00  |
| बिड पेशकश वैधता (बंद होने की तारीख से) / Bid Offer Validity (From End Date)   | 180 (Days)   |
| मंत्रालय/राज्य का नाम / Ministry/State Name   | Ministry Of Labour And Employment  |
| विभाग का नाम / Department Name  | Employees State Insurance Corporation  |
| संगठन का नाम / Organisation Name  | Employees State Insurance Corporation  |
| कार्यालय का नाम / Office Name   | Esic Hospital Tiruppur   |
| क्रेता ईमेल / Buyer Email   | proc-esichtup.tn@esic.gov.in   |
| कुल मात्रा / Total Quantity   | 1  |
| वस्तु श्रेणी / Item Category  | Ice Lined Refrigerator (Q3)  |
| बिडर का न्यूनतम औसत वार्षिक टर्नओवर (3 वर्षों का) / Minimum Average Annual Turnover of the bidder (For 3 Years)             | 1 Lakh (s)   |
| मूल उपकरण निर्माता का औसत टर्नओवर (गत 3 वर्षों का) / OEM Average Turnover (Last 3 Years)                                    | 8 Lakh (s)   |
| उन्हीं/समान सेवा के लिए अपेक्षित विगत अनुभव के वर्ष / Years of Past Experience Required for same/similar service            | 3 Year (s)   |
| एमएसएमई के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / MSE Exemption for Years of Experience and Turnover       | No   |
| स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / Startup Exemption for Years of Experience and Turnover | No   |
| विक्रेता से मांगे गए दस्तावेज़ / Document required from seller  | Experience Criteria, Past Performance, Bidder Turnover, Certificate (Requested in ATC), OEM Authorization Certificate, OEM Annual Turnover<br>*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 |

| बिड विवरण/Bid Details  |   |
|--|---|
| क्या आप निविदाकारों द्वारा अपलोड किए गए दस्तावेजों को निविदा में भाग लेने वाले सभी निविदाकारों को दिखाना चाहते हैं? संदर्भ मेनू है/Do you want to show documents uploaded by bidders to all bidders participated in bid? | Yes   |
| विगत प्रदर्शन /Past Performance  | 30 %  |
| बिड से रिवर्स नीलामी सक्रिय किया/Bid to RA enabled   | Yes   |
| रिवर्स नीलामी योग्यता नियम/RA Qualification Rule   | 50% Lowest Priced Technically Qualified Bidders |
| बिड का प्रकार/Type of Bid  | Two Packet Bid                                  |
| तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय /Time allowed for Technical Clarifications during technical evaluation  | 2 Days  |
| निरीक्षण आवश्यक (सूचीबद्ध निरीक्षण प्राधिकरण /जेम के साथ पूर्व पंजीकृत एजेंसियों द्वारा)/Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)                                     | No  |
| मूल्यांकन पद्धति/Evaluation Method   | Total value wise evaluation                     |
| मध्यस्थता खंड/Arbitration Clause   | No  |
| सुलह खंड/Mediation Clause  | No  |

#### ईएमडी विवरण/EMD Detail

|                   |    |
|-------------------|----|
| आवश्यकता/Required | No |
|-------------------|----|

#### ईपीबीजी विवरण /ePBG Detail

|   |                     |
|---|---------------------|
| एडवाइजरी बैंक/Advisory Bank                                       | State Bank of India |
| ईपीबीजी प्रतिशत (%) /ePBG Percentage(%)                           | 5.00                |
| ईपीबीजी की आवश्यक अवधि (माह) /Duration of ePBG required (Months). | 62                  |

(a). ईएमडी और संपादन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए। / EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

#### लाभार्थी /Beneficiary :

ESIC Fund A/c Number 1 payable at Tiruppur  
ESIC Hospital Tiruppur, Employees State Insurance Corporation, Employees State Insurance Corporation, Ministry of Labour and Employment  
(Esic Fund A/c Number 1 Payable At Tiruppur)

## विभाजन/Splitting

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

## एमआईआई खरीद वरीयता/MII Purchase Preference

|  |     |
|--|-----|
| एमआईआई खरीद वरीयता/MII Purchase Preference | Yes |
|--|-----|

## एमएसई खरीद वरीयता/MSE Purchase Preference

|   |     |
|---|-----|
| एमएसई खरीद वरीयता/MSE Purchase Preference | Yes |
|---|-----|

1. The minimum average annual financial turnover of the bidder during the last three years, ending on 31st March of the previous financial year, should be as indicated above in the bid document. Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the date of constitution / incorporation of the bidder is less than 3-year-old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria.

2. Experience Criteria: In respect of the filter applied for experience criteria, the Bidder or its OEM of the product offered in the bid {themselves or through reseller(s)} should have regularly, manufactured and supplied same or similar Category Products to any Central / State Govt Organization / PSU for number of Financial years as indicated above in the bid document before the bid opening date. Copies of relevant contracts and delivery acceptance certificates like CRAC to be submitted along with bid in support of having supplied some quantity during each of the Financial year. In case of bunch bids, the category of primary product having highest value should meet this criterion.

3. OEM Turn Over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated in the bid document. Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the date of constitution / incorporation of the OEM is less than 3 year old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria.

4. Preference to Make in India products (For bids < 200 Crore): Preference shall be given to 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. The minimum local content to qualify as a Class 1 local supplier is denoted in the bid document. If the bidder wants to avail the Purchase preference, the bidder 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 no purchase preference shall be granted. 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. Only Class-I and Class-II Local suppliers as per MII order dated 4.6.2020 will be eligible to bid. Non - Local suppliers as per MII order dated 04.06.2020 are not eligible to participate. However, eligible micro and small enterprises will be allowed to participate. 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.

5. 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.

6. 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.

7. Past Performance: The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products for 30% of bid quantity, in at least one of the last three Financial years before the bid opening date to any Central / State Govt Organization / PSU. Copies of relevant contracts (proving supply of cumulative order quantity in any one financial year) to be submitted along with bid in support of quantity supplied in the relevant Financial year. In case of bunch bids, the category related to primary product having highest bid value should meet this criterion.

8. Reverse Auction would be conducted amongst first 50% of the technically qualified bidders arranged in the order of prices from lowest to highest. Number of sellers eligible for participating in RA would be rounded off to next higher integer value if number of technically qualified bidders is odd (e.g. if 7 bids are technically qualified, then RA will be conducted amongst L-1 to L-4). In case number of technically qualified bidders are 2 or 3, RA will be between all without any elimination. If Buyer has chosen to split the bid amongst N sellers, then minimum N sellers would be taken to RA round. In case Primary products of only one OEM are left in contention for participation in RA based on lowest 50% bidders qualifying for RA, the number of sellers qualifying for RA would be increased to get at least products of one more OEM (directly participated or through its reseller) if available. Further, if bid(s) of any seller(s) eligible for MSE preference is / are coming within price band of 15% of Non MSE L-1 or if bid of any seller(s) eligible for Make in India preference is / are coming within price band of 20% of non MII L-1, then such MSE / Make in India seller shall also be allowed to participate in the RA process.

#### Pre Bid Detail(s)

| मूल्य भिन्नता खंड दस्तावेज़/Pre-Bid Date and Time | प्री-बिड स्थान/Pre-Bid Venue                                  |
|---|---|
| 20-06-2025 11:00:00                               | ESIC Hospital, Tiruppur. (email:proc-esichtup.tn@esic.gov.in) |

#### Ice Lined Refrigerator ( 1 pieces )

(क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक/Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)

#### तकनीकी विशिष्टियाँ /Technical Specifications

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

| विवरण/Specification | विशिष्टि का नाम /Specification Name    | बिड के लिए आवश्यक अनुमत मूल्य /Bid Requirement (Allowed Values) |
|---------------------|--|---|
| Construction        | Type of Door (with lock and handle)    | Chest Door  |
|                     | Material of Construction of body       | Prepainted Galvanised Steel                                     |
|                     | Net Vaccine Storage Capacity (minimum) | 300.0 - 500.0 Or higher (liter)                                 |

| विवरण/Specification | विशिष्टि का नाम /Specification Name   | बिड के लिए आवश्यक अनुमत मूल्य /Bid Requirement (Allowed Values)   |
|---------------------|---|---|
| Other               | Additional Features   | Corrosion resistant material, Appropriate Provision for drainage for the waste water, Optimized refrigeration system design, CFC-free high density foam insulation, Specially Integrated Icclining, Green based technology, having recyclable components., Temperature stability provisions, having ballast boxes on the top, Equipped with QR code to work on unit tracker APP of the manufacturer |
| Warranty            | Warranty  | 5.0 (year)  |
| Test Reports        | Availability of Test Report from Central Govt/NABL/ILAC accredited lab to prove conformity to specification | Yes   |
|                     | Test Report to be furnished to the buyer on demand  | Yes   |

#### Additional Specification Parameters - Ice Lined Refrigerator ( 1 pieces )

| Specification Parameter Name | Bid Requirement (Allowed Values)  |
|------------------------------|---|
| Technical Specification      | Technical specifications given under the buyer added bid specific terms and conditions shall be final. Bidders need to be complied. |

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

#### अतिरिक्त विशिष्टि दस्तावेज़ /Additional Specification Documents

|                                   |                      |
|-----------------------------------|----------------------|
| Applicable Specification Document | <a href="#">View</a> |
|-----------------------------------|----------------------|

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

| क्र.सं./S.No. | प्रेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer | पता/Address   | मात्रा /Quantity | डिलीवरी के दिन/Delivery Days |
|---------------|--|---|------------------|------------------------------|
| 1             | Sathyanarayanan B  | 641603,EMPLOYEES' STATE INSURANCE CORPORATION HOSPITAL, EMPLOYEES' STATE INSURANCE CORPORATION, Poovulapetti to Thirumurugan Poondi ring road, Tiruppur | 1                | 15                           |

## 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. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

#### TECHNICAL SPECIFICATION

| Sl.N o. | Specification Parameter  | Bid Requirement  |
|---------|--|--|
|         | <b>Construction</b>  |  |
| 1       | Temperature difference (between any two points in the cabinet)                         | 1 degree Celsius   |
| 2       | Material of Tubing system (min)  | 99.97% of pure copper coil   |
| 3       | Type of Door (with lock and handle)  | Chest door   |
| 4       | Additional features of Microprocessor based control                                    | 1.Unit should be sealed/ protected (from dust, moisture or condensed water falling over it), 2.Child lock facility |
| 5       | Audio and Visual Alarm   | Violation of temperature range (less than 2C and more than 8C)   |
| 6       | Temperature Holdover time (in a continuous external temperature of +43 degree celsius) | 34 hour  |
| 7       | Ground clearance (min)   | 100 millimeter   |
| 8       | Thermometer type   | Stem alcohol thermometer (as per MoHFW approved )  |
| 9       | Horizontal water cool pack covers  | Top of the basket  |
| 10      | Freeze protection grade  | Grade A  |
| 11      | Vaccine storage Tray capacity  | 6  |

|    |   |   |
|----|---|---|
| 12 | Material of construction of body  | Prepainted Galvanised Steel   |
| 13 | Tubing system components  | 1.Suction tube, 2Freezer tube, 3.C<br>ondensing tube                        |
| 14 | Sensor accuracy (for digital cont<br>roller)                            | + /- 0.5 degree celsius   |
| 15 | Features of Vaccine storage tra<br>y capacity                           | Free circulation of air   |
| 16 | Display type  | LED (3 - digit digital display)   |
| 17 | Net Vaccine Storage capacity  | 300 litre   |
| 18 | Temperature control   | Microprocessor based control  |
| 19 | Material of inner chamber   | polymer   |
| 20 | Temperature range   | + 2 deg C to + 8 deg C  |
| 21 | Indicator   | 1.On/OFF switch, 2.Power indicator  |
| 22 | Inlet of capillary location   | Outside the PUF body  |
| 23 | Refrigeration and Insulation Fea<br>tures                               | CFC-FREE  |
|    | <b>Environmental Conditions</b>   |   |
| 24 | Operating Temperature   | Up to + 43 deg C  |
|    | <b>Power supply</b>   |   |
| 25 | Input power, AC   | 220 volt  |
| 26 | Frequency   | 50 Hertz  |
| 27 | Stabilizer (as per the MoHFW)   | In build stabilizer   |
| 28 | Hot and Cold compressor voltag<br>e (min)                               | 172 volt  |
| 29 | Power consumption (stable runn<br>ing) at 43 dec C AMB per 24h, k<br>wh | 3 watt  |
| 30 | Voltage stabilizer  | Automatic voltage stabilizer (as pe<br>r MoHFW approved)                    |
|    | <b>Manuals</b>  |   |
| 31 | Instruction manuals (to be provi<br>ded)                                | 1.Operator manuals, 2.Technical wi<br>ring diagram/ maintenance manual<br>s |
|    | <b>Furnishing and Finishing</b>   |   |

|    |                                     |  |
|----|-------------------------------------|--|
| 32 | Finishing                           | Epoxy coating  |
|    | <b>Other</b>                        |  |
| 33 | Additional features                 | Corrosion resistant material, Appropriate Provision for drainage for the waste water, Optimized refrigeration system design, CFC-free high density foam insulation, Specially Integrated Lining, Green based technology, having recyclable components., Temperature stability provisions, having ballast boxes on the top, Equipped with QR code to work on unit tracker APP of the manufacturer |
| 34 | <b>Onsite Warranty</b>              | 5 years  |
|    | <b>Certifications and Standards</b> |  |
| 35 | Standards                           | WHO-PQS standard   |
| 36 | Certifications                      | ISO 9001, ISO 13485  |
|    | <b>Packing</b>                      |  |
| 37 | Packing                             | as per MoHFW guidelines  |
|    | <b>Marking and Labelling</b>        |  |
| 38 | Marking                             | 1.Serial number of the equipment,<br>2.Model number of the equipment,<br>3.Net Vaccine Storage capacity in litres, 4.Warranty period.  |

#### **General Terms and Conditions:-**

1. Bidder shall not sublet, transfer, assign the contract or any part thereof.
2. Bidder is entirely responsible for the execution of supply order in all respect (supply, installation, testing & commissioning) in accordance with the terms & conditions as specified in the tender.
3. If the Bidder fails in fulfilling terms & conditions of the tender, it is treated as breach of contract and the Medical Superintendent shall be entitled to make other arrangement at the risk and expense of the Bidder.
4. Bidder shall quote only those products in the bid which are not obsolete in the market and has at least 5 years residual market life i.e. the offered product shall not be declared end of life by the OEM before this period.
5. Bidder should ensure the equipment to be provided should be brand new and good quality in line with the specification mentioned in the terms and conditions of the bid. Any equipment with poor quality/refurbished shall be summarily rejected and the Bidder has to bear the transport charges of rejected items.
6. Bidder should provide regular/periodical maintenance of equipment i.e.minimum TWO visits per annum during warranty period and any number of breakdown calls.
7. **For Warranty:** No separate charges will be paid for regular/periodical maintenance, any breakdown call service rendered during warranty period.
8. Bidder should attend breakdown call if any in-person within 24 hours of registration of



f such call during the warranty period.

9. Bidder should provide complete details of service centre including contact number, e mail address and name of the service personal.
10. Service centre should be available within a reasonable distance from ESIC Hospital, Tiruppur.
11. Bidder should ensure the repair/maintenance of equipment including replacement of equipment/spares/accessories (in case of unrepairable) at free of cost during the warranty period.
12. Physical live demonstration of equipment is mandatory. Bidder should demonstrate the equipment at ESIC Hospital Tiruppur or any other location within Tiruppur district at their own cost. The bidder should submit an undertaking in this regard as per **proforma-A**. Bids received without undertaking for live demonstration of equipment will be summarily rejected.
13. Offered product should comply with standards/certifications such as BIS/CDSCO/ ISO etc.
14. Bidders should submit compliance certificate as per GFR-144(xi).

### **Performance Security**

15. The successful bidder should submit 5% of bid Value of equipment as performance security in the form of Account payee Demand Draft only in favour of ESIC Fund Account No.1 payable at Tiruppur. After award of contract, successful bidder to upload scanned copy of demand draft in place of PBG and has to ensure delivery of hard copy of original demand draft to buyer within 15 days of award of contract.
16. Performance security for equipment will be refunded without any interest after completion of warranty period plus two months, once all the contractual obligations (including satisfactory performance report from user department) are fulfilled and receipt of performance security for the Comprehensive Maintenance Contract.
17. Warranty period shall be commenced from the date of final acceptance certificate (FAC) of equipment.
18. On unsatisfactory performance or violation of terms and conditions of the contract, will make the Bidder liable for forfeiture of Performance security. The decision of competent authority will be final in this count.

### **Payment Terms:**

19. **Payment for Equipment:** Payment shall be made through (RTGS/NEFT) within 30 days from the date of final acceptance of equipment which include supply, inspection, installation & commissioning and observation period.
20. The successful bidder should sign a memorandum of understanding with ESIC Tiruppur Hospital for supply, inspection, installation & commissioning, Warranty (inclusive of all components).

### **Force majeure clause.**

1. Bidder shall not be liable for, forfeiture of its performance security, liquidated damages or termination for default, if and to the extent that it's delay in performance or other failure to perform its obligations under the contract is the result of an event of Force Majeure.
2. For purpose of this clause, "Force Majeure" means an event beyond the control of Bidder and not involving Bidder's fault or negligence and not foreseeable. Such events may include, but are not restricted to war, or revolutions, fires, floods, epidemics, quarantine restrictions and freight embargoes.
3. If a Force Majeure situation arises, Bidder shall promptly notify the Medical Superintendent, ESIC Hospital, Tiruppur in writing of such conditions and the cause thereof. Unless otherwise directed by the Medical Superintendent in writing, Bidder shall continue to perform its obligations under the contract as far as reasonably practical, and shall seek all reasonable

alternative means for performance not prevented by the Force Majeure event.

**Arbitration:-**

Any dispute and differences relating to the meaning of the specifications, design, drawings and instructions herein before mentioned and as to the quality of workmanship of materials used in the work or as to any other question, claim, right, matter of thing whatsoever in any way arising out of or relating to the contract, designs, drawings, specifications, estimates, instructions or these conditions or otherwise concerning the works or the execution or failure to execute the same whether arising during the progress of the work or after the completion or abandonment thereof in respect of which amicable settlement has not been reached, shall be referred to the Sole Arbitration of the **Arbitrator appointed by Medical Superintendent, ESIC hospital, Tiruppur** who shall proceed as per the Arbitration Act, 1996 (as amended as rules framed there under) Jurisdiction of Tiruppur.

- a. The work under the contract shall continue, during the Arbitration proceedings.
- b. The award of the Arbitrator shall be final, conclusive and binding on both the parties

**Proforma - A**

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Undertaking of Physical demonstration of Medical Equipment [Name of the Equipment]

As per the bid condition, physical demonstration of the medical equipment.....  
..... is mandatory and we/I ..... willing to physically demonstrate our product at ESIC Tiruppur Hospital Pooluvapatti – Thirumurugan Poondi Ring Road/any other location within Tiruppur District in our own expenses. And we/I understood that our physical demonstration will not bind the ESIC to purchase the product from us.

(Signature of Bidder)

Name and Address, Seal of the Bidder

Note:

1. Physical demonstration should be done only by the equipment required by ESIC

(as per the specification mentioned in the bid)

2. Technically fit person should be available to demonstrate the equipment

## 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 are mandated to ensure compliance with all the applicable laws / acts / rules including but not limited to all Labour Laws 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. Any non-compliance will be treated as breach of contract and Buyer may take suitable actions as per GeM Contract.**

[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---**