



भारत सरकार  
Government of India  
पृथ्वी विज्ञान मंत्रालय

Ministry of Earth Sciences



एकीकृत तटीय एवं समुद्री क्षेत्र प्रबंधन (इकमाम) परियोजना निदेशालय  
**Integrated Coastal and Marine Area Management (ICMAM) Project Directorate**  
(पृथ्वी विज्ञान मंत्रालय की अनुसंधान तथा विकास इकाई एवं सम्बद्ध कार्यालय)  
(An attached office and R & D unit of Ministry of Earth Sciences)

MoES/ICMAM-PD/AMC-Disp. Pumps/23/2015 (1)

30.06.2017

NOTICE FOR INVITING E-TENDER

To

You are invited to submit your most competitive online quotation through the Central Public Procurement (CPP) portal web site <https://eprocure.gov.in> in **Two cover system** on or before the prescribed date and time for AMC of 15 Nos. of Programmable Dispensing Pumps.

**Manual bids shall not be accepted except for the original documents/instruments if any mentioned in this tender.**

The details of supply are available in the tender document which can be downloaded from <http://www.icmam.gov.in> and Central Public Procurement (CPP) portal web site <https://eprocure.gov.in/eprocure/app> and the bid is to be submitted **ONLINE** only on <https://eprocure.gov.in/eprocure/app> up to last date and time of submission of tender.

1. Brief Details of Tender:

Sr.No.	Items	Description
(i)	Name of Supply/Work	AMC for 15 Nos. of Programmable Dispensing Pumps
(ii)	Tender reference No.	MoES/ICMAM-PD/AMC-Disp. Pumps/23/2015 (1)
(iii)	Required Validity of Bid	180 Days from the date of opening of Tenders.
(iv)	Tender document fees	Rs.500/-
(v)	EMD	Rs.3000/- or US \$50
(vi)	Language of Bid	English
(vii)	Bid Currency	Indian National Rupee (INR)
(viii)	Due Date for Online submission	<b>28.07.2017 &amp; 5.00 PM.</b>
(ix)	Details of the firm	Details for annual turnover of the bidder for the last 3 years. Scanned copies of audited financial report for the last three years should be submitted.
(x)	OEM	Authorization letter from OEM or valid dealership certificate copy for each group of items should be enclosed in the bid.

Bidders can see the other Technical cover details in the tender document.

2. Complete tender can be viewed and submitted through <https://eprocure.gov.in/eprocure/app>. To use the Electronic Tender portal <https://eprocure.gov.in/eprocure/app> Bidders need to register on the portal.

### 3. **Important instructions to bidders for online bidding:**

- 3.1 The bidders are required to submit soft copies of their bids electronically on the Central Public Procurement (CPP) portal ie <https://eprocure.gov.in.in/eprocure/app>, using valid Digital Signature Certificates.

#### 3.2 **SUBMISSION OF BIDS:**

- xii) Bidder should log into the CPP site well in advance for bid submission so that he/ she upload the bid in time i.e on or before the bid submission time.
- xiii) While submitting the bids online, the bidder shall read the terms & conditions (of CPP portal) and accepts the same in order to proceed further to submit their bid.
- xiv) Bidders select the payment option as offline to pay the Tender Fee/EMD and enter details of the DD/BC/BG/others.
- xv) Bidder shall digitally sign and upload the required bid documents one by one as indicated in the tender document.
- xvi) Bidders shall note that the very act of using DSC for downloading the tender document and uploading their offers is deemed be a confirmation that they have read all sections and pages of the tender document without any exception and have understood the complete tender document and are clear about the requirements of the tender document.
- xvii) Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document. For the file size of less than 1 MB, the transaction uploading time will be very fast.
- xviii) **If price quotes are required in XLS format, utmost care shall be taken for uploading Schedule of quantities & Prices and any change/ modification of the price schedule shall render it unfit for bidding.**

**Bidders shall download the Schedule of Quantities & Prices, in XLS format and save it without changing the name of the file. Bidder shall quote their rate in figures in the appropriate cells, thereafter save and upload the file in financial bid cover (Price bid) only. The Technical bid also be uploaded in CPP Portal in the appropriate place.**

**If the template of Schedule of Quantities & Prices file is found to be modified/ corrupted in the eventuality by the bidder, the bid will be rejected.**

- xix) Bidders shall submit their bids through online e-tendering system to the Tender Inviting Authority (TIA) well before the bid submission end date & time (as per Server System Clock). **The TIA will not be held responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders at the eleventh hour.**
- xx) After the bid submission (**i.e. after Clicking "Freeze Bid Submission"** in the portal), the bidders shall **take print out of system generated acknowledgement** number, and keep it as a record of evidence for online submission of bid, which will also act as an entry pass to participate in the bid opening (if any) or for records.
- xxi) Bidders should follow the server time being displayed on bidder's dashboard at the top of the tender site, which shall be considered valid for all actions of requesting, bid submission, bid opening etc., in the e-tender system.
- xxii) All the documents being submitted by the bidders would be encrypted using PKI (Public Key Infrastructure) encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology.

### 3.3 ASSISTANCE TO BIDDERS:

- (iii) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender of the relevant contract person indicated in the tender.
- (iv) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24X7 CPP Portal Helpdesk.  
Toll Free Number available in the CPP website.
- (iii) Clarifications, if any required to be sought on this tender may be obtained through writing letter, addressed to Head, ICMAM Project Directorate, II Floor NIOT Campus, Velachery- Tambaram Main Road, Pallikaranai, Chennai- 600100 or email ([icmamtender@icmam.gov.in](mailto:icmamtender@icmam.gov.in)) or contact 044-66783599.
- (iv) Bidders should submit/upload their bid in CPP Portal, digitally signed in the appropriate given cover only.

  
Head of Office

Copy No.

# **E-TENDER DOCUMENT FOR PLACING AMC FOR DISPENSING PUMPS**

**TENDER REF NO. MoES/ICMAM PD/AMC-Disp. Pumps/23/2015(1)**

**GOVERNMENT OF INDIA  
MINISTRY OF EARTH SCIENCES  
ICMAM PROJECT DIRECTORATE  
CHENNAI, INDIA**

July 2017

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Tender Reference No.: MoES/ICMAM-PD/AMC-Disp. Pumps/23/2015(1)

### SCHEDULE TO TENDER

1	Tender Reference No.	:	MoES/ICMAM-PD/AMC-Disp. Pumps/23/2015(1)
2	Name of Organisation	:	ICMAM Project Directorate
3	Type of Tender		SINGLE- E-Tender
4	Description of the Item	:	AMC for 15 Nos. of Programmable Dispensing Pumps
5	Quantity	:	As per Appendix-2
6	Date of Issue / Publishing	:	30.06.2017
7	Document Download/ Sale Start Date	:	30.06.2017
8	Document Download/ Sale End Date	:	<b>28.07.2017</b> (17:00 hrs Indian standard time)
9	Clarification Start Date	:	30.06.2017
10	Clarification End Date	:	28.07.2017 (17:00 hrs Indian standard time)
11	Last Date and Time for uploading of Bids	:	28.07.2017 (17:00 hrs Indian standard time)
12	Date and Time of opening of Bids	:	31.07.2017 at 12:00 hrs, India standard time
13	Date and Time of pre - bid meeting	:	-----
14a	Mode of submitting the bids	:	Online through Central Public Procurement Portal. <a href="https://eprocure.gov.in/eprocure/app">https://eprocure.gov.in/eprocure/app</a>
14b	Manual submission of Technical bid	:	<b>28.07.2017</b> <b>(on or before 14:00 hrs Indian standard time)</b>
15	Tender document fee	:	<b>Rs.500/- or US\$ 8</b>
16	EMD	:	<b>Rs.3000/- or US \$50</b> as defined in Clause 10 of Section- I of this Tender document and will be valid for <b>90 days</b> from the date of opening of Tender.
17	Validity of offer	:	<b>180 days</b> from the date of opening of Tender.
18	Address for communication	:	Project Director, ICMAM Project Directorate, 2 <sup>nd</sup> Floor, NIOT Campus, Pallikaranai, Chennai-600100
19	Contact Person	:	Mr.S.Kumar, ASO ICMAM PD, 2 <sup>nd</sup> Floor, Room No.306, NIOT Campus, Pallikaranai, Chennai - 600100 Tel:044-66783599, email id: <a href="mailto:kum63@icmam.gov.in">kum63@icmam.gov.in</a> / <a href="mailto:icmam@icmam.gov.in">icmam@icmam.gov.in</a>



## SECTION I

### INSTRUCTIONS TO BIDDERS

1. ICMAM Project Directorate, Ministry of Earth Sciences invites Online E-tender from eligible and qualified bidders (Original Equipment Manufactures (OEM) OR their Authorised Agents/Resellers/Partners) for Annual Maintenance Contract, whose specification is given in **Appendix-2** of Tender Enquiry. All offers should be in prescribed format written in English only. All correspondence should be made only with tender inviting authority. The invitation to tender is open to all eligible bidders who meet eligibility criteria as specified in tender document.

**2. Eligibility condition:-** The tenders will be scrutinized to determine whether they are complete in all respects and meet the essential and important requirements, conditions, etc., as prescribed in the Tender document. The tenders which do not meet the following basic requirements, will be treated as non-responsive and will be summarily rejected.

i) Bidders should be either OEM (OR) their authorised agent/reseller/partner of OEM as per **para 18**.

ii) Tender and other relevant documents should be signed by the authorized representative of the firm.

iii) Tender should be complete with regard to specification, price, salient terms and confirm technical specification, clause wise technical compliance statement should be enclosed with technical bid.

iv) Tender is unsigned or not signed by the authorized person through Tender Acceptance letter (**Appendix-1**)

v) Tender validity is shorter than required period.

vi) Required EMD (amount, validity etc.) and required tender Fee documents have not been provided as per detail, before tender opening.

vii) Bidder has quoted for goods manufactured by other manufacturer (s) without manufacturer(s) Authorization. 100% subsidiary firm of foreign company in India cannot bid through another Indian Agent. The relation

between principal / OEM and Agent or Indian Subsidiary should be clear and unambiguous and contractually established.

viii) Goods offered are not meeting the tender enquiry specification.

ix) Bidder has not agreed to other essential condition(s) especially incorporated in the tender enquiry like terms of payments, liquidated damages clause, warranty clause, etc.

x) Poor/unsatisfactory past performance.

xi) Bidders who stand de-registered by DGS&D /banned/blacklisted by any government authority.

xii) Bidder has not quoted for entire quantity as specified in the list of requirements.

**3. Qualification criteria (Bidders should submit necessary supporting documents to establish the following criteria)**

i) Bidders should have supplied and successfully installed the tendered item or equivalent or higher configuration item, during last **3** years before the date of opening of tender and the item functioning satisfactorily, without any adverse report. Report from the institution to whom it has been supplied about satisfactory performance certificate must be enclosed with technical bid. The performance certificate should be in Institution's/ client's letter head with proper signature and seal.

ii) Bidder should have sufficient financial resources to meet the obligation under contract. They should submit Balance Sheet for last **02** years and bank's report for their credit worthiness. The Bidder should have a minimum annual turnover of **Rs.10 lakhs (or Equivalent currency for foreign bidders)** in each of the two financial years prior to tender opening date.

iii) In addition to (i) & (ii) above, foreign firms quoting directly should have a service / support facility in **India** and should indicate in their offer the details of such servicing facilities along with technical bid and otherwise the tender will be rejected.

iv) If the bidder is a dealer or reseller or partner of OEM, they should be authorized by OEM. The original letter in OEM's letter head with the signature of authorized signatory and rubber stamp/seal should be provided.



**4. Price bid Evaluation Criteria & Price Bid Issues:** The broad guidelines for evaluation of Bids will be as follows:

a) Only those Bids will be evaluated which are found to be fulfilling all the eligibility and qualifying requirements of the Tender document and are acceptable both technically and commercially (called substantially responsive bid).

b) The technical Bids forwarded by the Bidders will be evaluated by the Buyer with reference to the technical specifications of the item as mentioned in the Tender enquiry. The compliance of Technical Bids would be determined on the basis of the parameters specified in the tender document. The Price Bids of only those Bidders will be opened whose Technical Bids would clear the technical evaluation.

c) The Lowest Bid will be decided upon the lowest price quoted by the particular Bidder as per the Price bid Format given.

The consideration of taxes and duties in evaluation process will be as follows:

(i) In cases where only indigenous Bidders are competing, all taxes and duties (including those for which exemption certificates are issued) quoted by the Bidders will be considered. The ultimate cost to the Buyer would be the deciding factor for ranking of Bids.

(ii) In cases where both foreign and indigenous Bidders are competing, following criteria would be followed –

(1) In case of foreign Bidders, the DDP cost quoted by them would be the basis for the purpose of comparison of various tenders.

(2) In case of indigenous Bidders, excise duty on fully formed equipment would be offloaded.

(3) Sales tax and other local levies, i.e. octroi, entry tax etc would be ignored in case of Indigenous Bidders.

d) The Bidders are required to spell out the rates of Customs duty, Excise duty, VAT, Service Tax, etc in unambiguous terms; otherwise their offers will be loaded with the maximum rates of duties and taxes for the purpose of comparison of prices. If reimbursement of Customs duty / Excise Duty /VAT is intended as extra, over the quoted prices, the Bidder must specifically say so. In the absence of any such

stipulation it will be presumed that the prices quoted are firm and final and no claim on account of such duties will be entertained after the opening of tenders. If a Bidder chooses to quote a price inclusive of any duty and does not confirm inclusive of such duty so included is firm and final, he should clearly indicate the rate of such duty and quantum of excise duty included in the price. Failure to do so may result in ignoring of such offers summarily. If a Bidder is exempted from payment of Customs duty / Excise Duty / VAT duty up to any value of supplies from them, they should clearly state that no excise duty will be charged by them up to the limit of exemption which they may have. If any concession is available in regard to rate/quantum of Customs duty / Excise Duty / VAT, it should be brought out clearly. Stipulations like, excise duty was presently not applicable but the same will be charged if it becomes leviable later on, will not be accepted unless in such cases it is clearly stated by a Bidder that excise duty will not be charged by him even if the same becomes applicable later on. In respect of the Bidders who fail to comply with this requirement, their quoted prices shall be loaded with the quantum of excise duty which is normally applicable on the item in question for the purpose of comparing their prices with other Bidders. The same logic applies to Customs duty and VAT also.

e) In import cases, all the foreign quotes will be brought to a common denomination in Indian Rupees by adopting the exchange rate as BC Selling rate of the State Bank of India on the date of the opening of Price Bids.

f) If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price will prevail and the total price will be corrected. If there is a discrepancy between words and figures, the amount in words will prevail for calculation of price.

g) Evaluation of offers involving more than one currency - NOT APPLICABLE.

h) The Lowest Acceptable Bid will be considered further for placement of contract / Supply Order after complete clarification and price

negotiations as decided by the Buyer. The Buyer will have the right to award contracts to different bidders for being lowest in particular items. The Buyer also reserves the right to do apportionment of quantity, if it is convinced that Lowest Bidder is not in a position to supply full quantity in stipulated time.

i) Any other criteria as applicable to suit a particular case.

j) Bidder should quote the prices in the given format BOQ\_XXXX in excel sheet for **online submission**. In that excel file, BOQ1 worksheet is for Indian bidders to quote INR and BOQ2 is for foreigner bidders, where the currency type is to be quoted. Bidders are requested to use the same currency in BOQ2 sheet for items.

k) Since ICMAM Project Directorate being Government organization, no advance payment will be made. Every attempt will be made to make payment within 30 days from the date of receipt of bill/acceptance of goods, whichever is later.

l) The Lowest Price (L1) for both foreign and Indigenous Bidders will be decided upon the lowest price quoted by the particular Bidder as on date of opening of tender enquiry as per the Price Format.

m) ICMAM Project Directorate reserves the right to cancel / withdraw the bid without assigning any reasons for such decision. ICMAM Project Directorate also reserves the right to award to any bidder or cancel the orders issued to any bidder without assigning any reason thereof. Such decision will not incur any liability whatsoever on the part of ICMAM Project Directorate consequently.

n) Tender document is non-transferable.

**5.** Complete tender documents along with supporting documents as called for in the tender conditions, should be duly filled in (wherever necessary) and signed in and are SACROSANCT and scanned copy of the same should be uploaded in the online mode for considering any offer as complete offer. All the Bidders are expected to go through every detail of the tender carefully and provide all requisite details and documents / certificate, and tender documents duly complete in all respects and digitally sign and upload the required bid documents one by one as indicated. Bidders to note that the very

act of using DSC for downloading the bids and uploading their offers shall be deemed to be a confirmation that they have read all sections and pages of the bid document including General conditions of contract without any exception and have understood the entire document and are clear about the requirements of the tender requirements.

**6.** All contracts shall be entered and acting through its designated authority. Wherever not so specified, the contractual obligations will be governed by the International contract law or the Indian Contract Law as may be applicable.

**7.** In case of foreign bidders, either the foreign OEM / Principals will bid in the subject tender process or any of its authorised agents as per requirements of the tender enquiry conditions. OEM / Principal or the authorised / agents enlisted with DGS&D shall not be allowed to participate in the subject tender process simultaneously.

**8.** ICMAM PD reserves the right to cancel / reject entire tender process without assigning any reason.

**9.** ICMAM PD reserves the right to increase or decrease the quantity at any stage.

**10. EARNEST MONEY (EM) and TENDER DOCUMENT FEE**

(a) The **Earnest Money Deposit (EMD) of Rs.3000/-** for AMC of 15 Nos. Programmable Dispensing Pumps (specified in Appendix-2) in the form of Banker's cheque OR Demand Draft drawn in any scheduled / Nationalised bank in favour of **Pay & Accounts Officer, IMD payable at Chennai** should be submitted on or before the due date of Technical bid opening during office working hours as a part of technical bid. Scanned copy of such document must be attached online along with the technical bid documents, failing which tender document would be rejected. The earnest money shall bear no interest.

(b) The participating bidders should pay **Rs.500/-** (Indian Rupees five hundred only) as **tender fee (non-refundable)** in the form of Banker's Cheque OR Demand Draft drawn in any scheduled / Nationalised bank in favour of Pay & Accounts Officer, IMD payable at Chennai) on or before the due date of Technical bid opening during office working hours of ICMAM PD.

Scanned copy of such document must be attached online along with the technical bid documents, failing which tender document would be rejected.

(c) **Foreign bidders shall remit Tender fee of US\$ 8 and EMD of US\$ 50 in postal coupons/Bank Draft payable as stated above** within the stipulated dates by post / courier. Scanned copies of such documents should be submitted online along with the technical bid.

(d) Bids submitted without EMD & Tender fee and in other forms will stand rejected. No interest is payable on EMD.

(e) The EMD will be returned to the bidder(s) whose offer is not accepted by ICMAM PD within two months from the date of placing final order on the selected bidder. In case of the bidder, whose offer is accepted, the EMD amount will be converted as security deposit till the warranty period plus 60 days.

(f) However, if the return of EMD is delayed for any reason, no interest / penalty shall be payable to the bidder.

(g) The successful bidder, on award of contract / order must send the contract / order acceptance in writing within 10 days of award of contract / order, failing which the EMD will be forfeited.

(h) The EMD shall be forfeited, if the bidder withdraws the bid during the period of bid validity specified in the tender.

(i) In case of any ambiguity / dispute in the interpretation of any of the clauses in this tender document, The Project Director. ICMAM PD's interpretation of the clauses shall be final and binding on all parties.

## **11. PRICE**

The prices quoted should be on firm and fixed basis and shall include all elements of prices. The bidders / tenders will not be allowed to make any variations in the price bid or any amendments to commercial offers already uploaded online during the currency of tender and after the date of opening of the tender. The purchaser shall reserve the right to reject the commercial / price bid, which will have cuttings or over writings. In case there is a discrepancy between the words and figures, the prices indicated in words shall prevail. **PRICE BID should be submitted ONLINE ONLY and no other mode of submission of price bid is acceptable.**

## **12. TWO BID SYSTEM**

A. Technical bid (ONLINE and Manual submission)

B. Online price bid

**A. TECHNICAL BID:** The bidder should submit the scanned copy for online submission and the same original hard copy of all the following documents as part of the Technical Bid in the stipulated format. The original hard copies should be submitted (Hard copy by manual submission) to the ICMAM Project Directorate (contact person Mr.S.Kumar, Tel:044-66783599, email id: [icmamtender@icmam.gov.in](mailto:icmamtender@icmam.gov.in)) on or before the due date of Technical bid opening, during office working hours. The cover containing the necessary technical bid documents should be superscribed by **"Tender Ref No: MoES/ICMAM-PD/AMC-Disp. Pumps/23/2015(1) Part I Technical BID for "AMC for 15 Nos. of Programmable Dispensing Pumps". The Technical bid should contain the following details:**

- i) Bidder should have sufficient financial resources to meet the obligation under contract. They should submit Balance Sheet for last 02 years OR bank's report for their credit worthiness. The bidder should have a minimum turnover of 10 lakhs or equivalent foreign currency for foreign bidders, in each of the two financial years prior to tender opening date (both online and manual submission).
- ii) Scanned copies of Purchase orders for values not less than Rs.3.0 lakhs for a total value of min. Rs.08 lakhs, or equivalent foreign currency for foreign bidders, executed during the last two years for similar item / higher / equivalent configuration (both online and manual submission).
- iii) If the bidder is a dealer or reseller or partner of OEM, scanned copy of letter authorized by OEM to participate in this tender. The original letter should be in OEM's letter head with the signature of authorized signatory of firm and proper rubber stamp seal (both online and manual submission).
- iv) Scanned copy of Tender Acceptance Letter as per Appendix - 1 (both online and manual submission).
- v) Performance certificate from their client (as per clause 3 (i) of Section - I)
- vi) Scanned copy of EMD fee as per detail (Online submission)
- vii) Original EMD fee as per detail (manual submission)

- viii) Scanned copy of Tender document fee (online submission)
- ix) Original tender document fee as per detail (manual submission)
- x) Any other related documents / Product brochure / web reference (both online and manual)
- xii) Check list as per Appendix 3 - "Check List" (both online and manual)
- xii) Any other relevant document / certificate which is required to be submitted by the firm in line with the requirement of the subject tender enquiry.
- xiii) **Manual submission of technical bid documents along with the relevant documents should be submitted to ICMAM Project Directorate, on or before the due date of online e-tender submission (i.e on or before 28.07.2017, 14:00 hrs Indian standard time).**

**B. PRICE BID** should comprise of the following:

- i) Bidders supplying indigenous goods shall quote only in Indian Rupees.
- ii) For imported goods if supplied directly from abroad, prices shall be quoted in USD, Euro, CHF, Yen etc.
- iii) As regards price(s) for allied services/equipment, if any required with the main store , the same shall be quoted in Indian Rupees only if such services are to be performed / installed in India.
- iv) Tenders where prices are quoted in any other way shall be treated as non-responsive and rejected.

**C. METHODOLOGY FOR OPENING OF THE TENDERS**

- i) Only the technical bid shall be opened online on the date of tender opening. Price bids of only those firms will be considered for opening whose offer would meet all tender requirements including compliance to technical specifications and has passed in all tender conditions and technical / physical (including field trial) evaluation if required.
- ii) After opening of price bids, ranking statement will be prepared and the finalization of successful bidder will be done on L-1 (the lowest price) basis. For foreign currency, and it will be with reference to exchange rate prevailed as on the date of opening of price bid.



**13.** Any change in Address/ Telephone/ Fax/ e-mail should be immediately informed. The state of non-communication by the firm will make the offer liable for rejection.

**14. Clarification regarding contents of the bids** – During the course of evaluation process, the purchasing authority, shall at its discretion, ask the bidder for clarifications or confirmation on various aspects with reference to shortcomings or deficiencies so noticed in their bids. The request for such clarification or confirmations shall be given in writing to which the bidder will be required to send their response within the time frame so prescribed in such written communications. The clarifications / confirmations shall be called only in respect of general conditions or requirements of the tender enquiry documents and not on any aspect pertaining to specifications or prices or other essential requirements of tender schedule.

**15.** No post bid clarification or alteration or modification on the initiative of the bidder will be entertained.

**16. Integrity pact / Rejection of bids** – If the bidders do not agree with the terms and conditions of tender, their offer will be summarily rejected. Contract with successful bidders will also be cancelled if they do not fulfill the terms and conditions of the contract or till contractual obligation period and their Earnest Money Deposit and Performance Security Deposit (if any) will be forfeited. Canvassing by the bidder in any form, unsolicited letter/communications and post tender corrections would invoke summary rejection of tender with forfeiture of EMD.

**17. Modifications and withdrawal of bids** – A bidder may modify or withdraw his bid online after submission but prior to final date of submission of tenders/date of opening of tenders. In case a supplier modifies or amends a bid already submitted online, the latest version of the bid will be accepted.

**18. Entities authorised for submission of offers in Global Tender Enquiries** Quotations are invited from the following entities / bidders –

(a) Original Equipment Manufacturer (OEM) / Indian / Foreign Principal or their subsidiary enterprises in India;

(b) Authorised Agents of Foreign Principals (OEMs) or Indian OEMs;

(c) Indian agents of Foreign Principal / OEMs who are enlisted with the DGS&D under the mandatory enlistment scheme of Department of Expenditure, Ministry of Finance, GOI and in accordance with Rule 143 of GFR. The enlistment certificates of Indian Agent of Foreign principals issued by DGS&D, Jeevan Tara Building, 5-Parliament Street, New Delhi, 110001, must be enclosed.

(d) Foreign principal jointly with Indian associate with defined responsibilities and joint & severable responsibility.

(e) Indian Bidders (quoting foreign goods indicating country of origin) holding valid Indian License (IEC) warranty support of foreign manufacturer.

**19. Compliance statement for specifications**

i) The technical details of the models offered along with the supporting original technical Literature, leaflets, brochures etc. will be submitted, where ever necessary. The confirmation of the models(s) offered with the tender enquiry specification and the deviation(s), if any will be clearly mentioned in the technical bids.

ii) The attention of Bidders is invited to clause 1(A) of form DGS&D 231 "Instructions to Bidders" whereby they are required to furnish clause by clause compliance of specification bringing out clearly deviation from specification, if any. Bidders may also quote DGS&D rate if the item meets the required specification.

**20.** The Bidder will also provide complete technical / operating and service manual of the item, if any.

**21.** The decision of the purchaser shall be final as to the quality of the stores and shall be binding upon the Bidders and in case of any of the articles supplied not being found as per specification shall be liable to be rejected or replaced and any expenses or losses caused to the suppliers should be borne by the supplier and ensured by the supplier that articles supplied should be of standard specifications and free from all defects. The acceptance of articles will be made only when the articles are inspected and found up to the standard specifications and free from all defects.

**22.** For any change in terms and condition of tender / tender specification, the Bidders are requested to visit the website <http://www.icmam.gov.in> &

<https://eprocure.gov.in/eprocure/app>

**23. SPECIAL INSTRUCTIONS FOR ONLINE BID SUBMISSION:**

Instructions to the Bidders to submit the bids online through the Central Public Procurement Portal for e-Procurement are at <https://eprocure.gov.in/eprocure/app>. The bidders must carefully follow the instructions.

- i) Possession of valid Digital Signature Certificate (DSC) and enrolment/registration of the contractors/bidders on the e-procurement/e-tender portal is a prerequisite for e-tendering.
- ii) Bidder should do the enrolment in the e-Procurement site using the "Click here to Enroll" option available on the home page. Portal enrolment is generally free of charge. During enrolment/registration, the bidders should provide the correct/true information including valid e-mail-id. All the correspondence shall be made directly with the contractors/bidders through e-mail-id provided.
- iii) Bidder need to login to the site through their user ID/ password chosen during enrolment/registration.
- iv) Then the Digital Signature Certificate (Class II or Class III Certificates with signing key usage) issued by NIC/SIFY/TCS/nCode/eMudra or any Certifying Authority recognized by CCA India on e-Token / Smart Card, should be registered.
- v) The DSC that is registered only should be used by the bidder and should ensure safety of the same.
- vi) Contractor / Bidder may go through the tenders published on the site and download the required tender documents/ Annexures for the tenders he/she is interested.
- vii) After downloading / getting the tender document/ Annexures/ Appendices, the Bidder should go through them carefully and then submit the documents as asked, otherwise bid will be rejected.
- viii) If there are any clarifications, this may be obtained online through the tender site, or through the contact details. Bidder should take into account the corrigendum / addendum published before submitting the bids online.

- ix) Bidder then logs in to the site through the secured log in by giving the user id/ password chosen during enrolment/registration and then by giving the password of the e-Token/ Smart Card to access DSC.
- x) Bidder selects the tender which he/she is interested in by using the search option & then moves it to the 'my tenders' folder.
- xi) From my tender folder, he selects the tender to view all the details indicated.
- xii) It is construed that the bidder has read all the terms and conditions before submitting their offer. Bidder should go through the tender Annexures and appendices carefully and upload the documents as called for; otherwise, the bid will be rejected.
- xiii) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document/ Annexure and generally, they can be in PDF/xls/rar/zip/dwf formats. If there is more than one document, they can be clubbed together and can be provided in the requested format. Each document to be uploaded through online for the tenders should be less than 2 MB. If any document is more than 2MB, it can be reduced through zip/rar and the same can be uploaded, if permitted. Bidders Bid documents may be scanned with 100 dpi with black and white option. However if the file size is less than 1 MB the transaction uploading time will be very fast.
- xiv) Bidder should take into account the corrigendum / addendum published from time to time before submitting the online bids.
- xv) The Bidders can update well in advance, the documents such as certificates, annual report details etc., under My Space option and these can be selected as per tender requirements and then send along with bid documents during bid submission. This will facilitate the bid submission process faster by reducing upload time of bids.
- xvi) Bidder should submit the Tender Fee/ EMD as specified in the tender. The original should be posted/couriered/given in person to the Tender Inviting Authority, within the bid submission due date & time for the tender. Scanned copy of the instrument should be uploaded as part of the offer.

xvii) While submitting the bids online, the bidder reads the terms & conditions and accepts the same to proceed further to submit the bid packets.

xviii) The bidder has to select the payment option as offline to pay the Tender FEE/ EMD as applicable and enter details of the instruments.

xix) The details of the DD/any other accepted instrument, physically sent, should tally with the details available in the scanned copy and the data entered during bid submission time. Otherwise submitted bid will not be acceptable.

xx) The bidder has to digitally sign and upload the required bid documents one by one as indicated. Bidders to note that the very act of using DSC for downloading the bids and uploading their offers shall be deemed to be a confirmation that they have read all sections and pages of the bid document including General conditions of contract without any exception and have understood the entire document and are clear about the requirements of the tender requirements.

xxi) The bidder has to upload the relevant files required as indicated in the covered content. In case of any irrelevant files, the bid will be rejected.

xxii) If the price bid format is provided in a spread sheet file like BoQ\_xxxx.xls, the rates offered should be entered in the allotted space only and uploaded after filling the relevant columns. The Price Bid/ BOQ template must not be modified/replaced by the bidder, else the bid submitted is liable to be rejected for this tender.

xxiii) The bidders are requested to submit the bids through online e-tendering system to the Tender Inviting Authority (TIA) well before the bid submission end date & time (as per Server System Clock). The TIA will not be held responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders at the eleventh hour.

xxiv) After the bid submission (i.e after Clicking "Freeze Bid Submission" in the portal), the acknowledgement number, given by the system should be printed by the bidder and kept as a record of evidence for online submission of bid for the particular tender and will also act as an entry pass to participate in the bid opening date.

xxv) The time settings fixed in the server side & displayed at the top of the tender site, will be valid for all actions of requesting, bid submission, bid opening etc., in the e-tender system. The bidders should follow this time during bid submission.

xxvi) All the data being entered by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered will not be viewable by unauthorized persons during bid submission & not be viewable by any one until the time of bid opening.

xxvii) Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid openers public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.

xxviii) The confidentiality of the bids is maintained since the secured Socket Layer 128 bit encryption technology is used. Data storage encryption of sensitive fields is done.

xxix) The bidder should logout of the tendering system using the normal logout option available at the top right hand corner and not by selecting the (X) exit option in the browser.

xxx) For any queries regarding e-tendering process, the bidders are requested to contact as provided in the tender document. Parallely for any further queries, the bidders are asked to contact over phone: 1800-3070-2232 or send an email to – [cphp-nic@nic.in](mailto:cphp-nic@nic.in).

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## **SECTION II**

### **SCOPE OF WORK**

- 1.** To carry out 3 Preventive Maintenance visits and 3 breakdown visits during the AMC contract period.
- 2.** To list out spares / consumables required for the pumps for procurement.
- 3.** Calibration of flow rate.
- 4.** Period of Annual Maintenance Contract (AMC): 1 year.
- 5.** Maintenance Contract Type : Non-Comprehensive.
- 6.** Payment terms: payment shall be made on half yearly basis after completion of service at every half yearly based on claim bill along with copy of the Service Report.



## **SECTION III**

### **GENERAL CONDITIONS**

**1. Custom / Excise Duty** ICMAM Project Directorate is exempted in paying from customs duty.

#### **2. Payment**

Payment will be made through Irrevocable Letter of Credit (LC) and this will be established in favour of foreign supplier after the submission of performance security. The LC will be established on the exchange rates as applicable on the date of establishment.

i) For Indigenous supplies, payment shall be made on half yearly basis after completion of service at every half yearly based on claim bill along with copy of the satisfactory Service Report.

ii) All the bank charges within India will be borne by ICMAM PD and outside India will be borne by the supplier.

**3. Risk Purchase:** In the event of a contract being cancelled for any breach committed and the purchaser effecting re-purchase of the stores at the risk and the cost of the contractor, the purchaser is not bound to accept the lower offer of any allied or sister concern of the contractor.

**4. Liquidated Damages (LD):** In case the firm does not complete the supply within the delivery period, action will be taken against the firm as per Para 14.7 of DGS&D 68(Revised) of Ministry of Commerce, Deptt of Commerce of the General condition of the contract for imposition of LD charges.

#### **5. ARBITRATION:**

a) In the event of the Arbitrator dying, neglecting or refusing to act or resigning or being unable to act for any reason, on his award being set aside by the court for any reason, shall be lawful for the PD ICMAM Chennai to appoint another arbitrator in place of the outgoing arbitrator in the manner aforesaid.

c) It is further a term of this contract that no person other than the person appointed by the PD ICMAM as aforesaid should act as arbitrator and that, if for any reason that is not possible, the matter is not to be referred to

Arbitration at all.

d) The arbitrator may from time to time with the consent of all the parties to the contract enlarge the time for making the award.

e) Upon every and any such reference, the assessment of the costs incidental to the reference and award respectively shall be in the discretion of the arbitrator.

f) Arbitration shall be held in Chennai, India and conducted in accordance with the provision of Arbitration and Conciliation Act, 1996 or any statutory modification or re-enactment thereof.

#### **6. PATENT AND OTHER INDUSTRIAL/INTELLECTUAL PROPERTY RIGHT**

The prices quoted in the present tender shall be deemed to include all amounts payable for the use of patents, copyright, registration charges, trademarks and payment for any other industrial property rights. The Bidder shall indemnify the Purchaser against all claims from a third party at any time on account of the infringement of any or all the rights mentioned in the previous paragraphs, whether such claims arise in respect of manufacture or the use. The Bidder shall be responsible for the completion of the supplies, irrespective of the fact of infringement of any or all the rights mentioned above.

#### **7. TRANSFER AND SUB-LETTING**

The Bidder has no right to give, bargain, sell, assign or sublet or otherwise dispose of the resultant contract or any part thereof, as well as to give or to let a third party take benefit or advantage of the resultant contract or any part thereof.

**8.** Purchaser reserves the right to get the manufacturing capacity of all firms re-verified irrespective of the registration status.

**9.** Purchaser reserves the right to cancel/reject or Scrap any or all the tenders without assigning any reason.

#### **10. FORCE MAJEURE CLAUSE**

If at any time, during the continuance of this contract, the performance in whole or in part by either party of any obligation under this contract shall be prevented or delayed by reason of any war, hostility, acts of public enemy,

civil commotion, sabotage, fires, floods, explosions, epidemics, quarantine restrictions, strikes, lockouts or act of God (hereinafter referred to "events") provided, notice of the happening of any such event is given by either party to the other within 21 days from the date of occurrence thereof, neither party shall by reason of such event, be entitled to terminate this contract nor shall either party have any claim for damages against the other in respect of such non-performance or delay in performance, and deliveries under the contract. The contract shall be resumed as soon as practicable after such event has come to an end or ceased to exist, and the decision of the Purchaser as to whether the deliveries have been so resumed or not, shall be final and conclusive, PROVIDED FURTHER that if the performance in whole or part or any obligation under this contract is prevented or delayed by reason of any such event for a period exceeding 60 days, either party may at its option terminate the contract provided also that if the contract is terminated under this clause, the purchaser shall be at liberty to take over from the contractor at a price to be fixed by the Purchaser, which shall be final, all unused, undamaged and acceptable materials, bought out components and stores in course of manufacture in the possession of the contractor at the time of such termination or such portion thereof as the purchaser may deem fit excepting such materials, bought out components and stores as the contractor may with the concurrence of the purchaser elect to retain.

#### **11. TERMINATION OF CONTRACT**

The Purchaser shall have the right to terminate this Contract without any notice in part or in full in any of the following cases:

- a) The delivery of the material is delayed for causes not attributable to **Force Majeure** after the scheduled date of delivery.
- b) The Seller is declared bankrupt or becomes insolvent.
- c) The delivery material is delayed due to causes of **Force Majeure** by more than 21 days.

## **12. Government Regulations**

It shall also be confirmed that, there are no Govt. restrictions or limitations in the country of the supplier or countries from which sub-components are being procured and/or for the export of any part of the system being supplied. Suppliers/Contractors shall provide a certificate to this effect.

## **13. Clarification of Bid Document**

A prospective Bidder requiring any clarification of the Bid documents may raise his point of clarification through Bid Management window after successfully logging to the e-procurement website <https://eprocure.gov.in/eprocure/app>. The bidder may seek clarification by posting query in the relevant window after clicking "Seek Clarification" option in the view tender details window for tender which can be selected through my tender option of bid submission menu. The clarification will be replied back by the tendering Authority through the e-procurement website which can be read by the bidder through the "Clarification" option under Bid Submission menu. The tendering authority may also respond to clarifications raised by the prospective bidders on purchaser's e-mail address [icmamtender@icmam.gov.in](mailto:icmamtender@icmam.gov.in) or the bidder may also write to The Project Director, ICMAM PD for seeking clarifications by mentioning the tender reference details.

**14.** Any dispute relating to purchase of goods between ICMAM PD and Bidder shall be subjected to the jurisdiction of a court of law situated in Chennai, Tamil Nadu.

## APPENDIX - 1

### TENDER ACCEPTANCE (OFFER) LETTER

(To be submitted online duly signed format (scanned copy) by the authorized signatory on bidder's company letter head.

Date.....

**To**

**The Head**

**ICMAM Project Directorate**

**2<sup>nd</sup> Floor, NIOT Campus**

**Pallikaranai, Chennai – 600100**

**Subject:** Acceptance in respect of terms and conditions of tender document for AMC service for of 15 Nos. of Programmable Dispensing Pumps located at ICMAM Project Directorate, Chennai.

Ref: E Proc Tender Ref No.....,..... dated.....

Sir,

1. I / We have downloaded / obtained the tender document(s) for the above mentioned tender from the web site <https://eprocure.gov.in/eprocure/app>.
2. I / We hereby certify that I / We have read all the terms and conditions of tender document from page No. \_\_\_\_\_ to \_\_\_\_\_ (including all annexure / Forms / appendixes, paras, etc.,) which shall part of the contract agreement and I / we shall abide hereby by all the terms and conditions contained therein.
3. The corrigendum(s) issued from time to time by your organization has also been taken into consideration, while submitting this acceptance letter.
4. I / We hereby unconditionally accept all the terms and conditions of above mentioned tender document and corrigendum(s) as applicable.

5. In case any provisions of this letter are found violated, then your department / organization shall without prejudice to any other right or remedy be at liberty to reject my bid including the forfeiture of EMD.
6. I / We confirm that our bid shall be valid up to 180 days from the date of opening of Technical Bid.
7. I / We hereby certify that all the statements made and information supplied in the enclosed appendix, annexure / Forms / paras etc., furnished herewith are true and correct.
- 8/ I / We have furnished all information and details necessary for demonstrating our qualification and have no further prominent information to supply.
9. I / We understand that you are not bound to accept the lowest or any bid you may receive.
10. I / We certify / confirm that we comply with the eligibility requirements as per bid documents.
11. In case any provisions of this tender are found violated, ICMAM PD shall be at liberty to reject this tender, including the forfeiture of the full said EMD and we shall not have any claim against ICMAM PD in satisfaction of this condition.

Yours faithfully,

**Signature of the Bidder**

**Name:**

**Designation:**

**Rubber-stamp of the firm**

**APPENDIX - 2****TECHNICAL SPECIFICATIONS****ITEM: AMC for 15 Nos. of Pumps**

Sl. No.	Part No.	Item Description	Qty
1	ISM 933	IPC-16,16 channel tubing Programmable dispensing pump; fkiw rate range: 0.002 to 44 ml/min, Sr. No. 03761-00096	01
2	ISM 936	IPC-8, 8 channel tubing Programmable dispensing pump: flow rate range: 0.0004 to 11 ml/min, Sr. No. 03764-00215	01
3	ISM 933	IPC-16, 16 channel tubing pump with dispensing functions, flow rate ranges: 0.002 to 44ml/min. Sr. no 03761-00118	01
4	ISM 936	IPC-8, 8 channel tubing Programmable dispensing pump: flow rate range: 0.0004 to 11 ml/min. Sr. No. 03759-00373	01
5	ISM 936D	IPC-N8, 8 channel tubing Programmable dispensing pump: flow rate range: 0.0004 to 11 ml/min. Sr. No. 1396753	01
6	ISM 931	IPC-8, 8 channel Programmable dispensing pump flow rate ranges; 0.002-44 ml/min. Sr. No. 1395916	01
7	ISM 404 915A	MCP Processor Peristaltic pump with drive IP65 protection rating, flow rate 0.0001 to 3700ml/min. Sr.No. 0583411-1	01
8	ISM 404	MCP Processor Peristaltic pump with drive IP65 protection rating, flow rate 0.0001 to 3700ml/min.Sr. No.0593511-1	01
9	ISM 934C	IPC-24 Channel tubing programmable dispensing pump, flow rate range 0.0004 to 11ml/min. Sr. No. 264559-1	01
10	ISM 936D	IPC-8, 8 channel tubing Programmable dispensing pump: flow rate range: 0.0004 to 11 ml/min. Sr. No. 263750-1	01
11	ISM 931C	IPC-8, 8 channel Programmable dispensing pump flow rate ranges: 0.002-44 ml/min. Sr. No 03759-00543	01
12	ISM 933C	IPC-16, 16 channel tubing pump with dispensing functions, flow rate ranges: 0.002 to 44ml/min.Sr. No 03761-00097	01
13	ISM 931	IPC-8,8channel Programmable dispensing pump flow rate ranges; 0.002-44 ml/min. Sr. No 03764-00175.	01
14	ISM 931	IPC-8,8channel Programmable dispensing pump flow rate ranges; 0.002-44 ml/min.Model No.: C.P.78001-12	01
15	ISM933	IPC-8, 8 Channel Tubing Programmable Pumpflow rate range 0.0004 to 11ml/min, Sr.No:288813-1	01

(Location : 14 Nos. (Sl.no.1-10 & 14-15) at ICMAM-PD, NIOT Campus, Pallikaranai, Chennai.  
3 Nos. (Sl.no.11-13) at Department of Marine Biology, CUSAT, Kochi.)



**APPENDIX - 3****CHECK LIST**

(Following documents are to be submitted online and manual as a part of Technical bid. Bidders are requested to put a √ mark for ensuring submission of document in the appropriate one)

<b>Sl. No</b>	<b>Description</b>	<b>Online submission</b>	<b>Manual submission</b>
1	Details for annual turnover of the bidder for the last 2 years. Scanned copies of audited financial report for the last two years should be submitted (Section I, 12.A.(i))	Submitted / Not Submitted	Submitted / Not Submitted
2	Authorisation letter by OEM (original by manual and scanned copy by online) for participating this tender (Section I, 12.A.(iii))	Submitted / Not Submitted	Submitted / Not Submitted
3	Scanned copy of Tender Acceptance Letter by online and original by manual (Section I, 12.A.(iv))	Submitted / Not Submitted	Submitted / Not Submitted
4	Scanned copy of Performance Certificate from the client by online and original by manual (Section I, 12.A.(v))	Submitted / Not Submitted	Submitted / Not Submitted
5	EMD fee as per detail (scanned copy by online and original by manual)	Submitted / Not Submitted	Submitted / Not Submitted

<b>Sl. No</b>	<b>Description</b>	<b>Online submission</b>	<b>Manual submission</b>
6	Tender Fee as per detail (scanned copy by online and original by manual)	Submitted / Not Submitted	Submitted / Not Submitted
7	Any other relevant document (scanned copy by online and original by manual)	Submitted / Not Submitted	Submitted / Not Submitted
8	This Check list (scanned copy by online and original by manual)	Submitted / Not Submitted	Submitted / Not Submitted

**Signature of the Bidder**

**Name:**

**Designation:**

**Rubber-stamp of the firm**