

19-Sep-2023

Amendment No 01**Sub: Amendment to the referred tender enquiry****Ref.: Tender Enquiry No. HITES/PCD/PMSSY-IV/35/MGPS-MOT/2023-24 dated 25-Aug-2023.**

Following changes are being incorporated in the tender:

SECTION I
NOTICE INVITING TENDER (NIT)

For:-

Tender Timeline

Sl. No.	Description	Schedule
1	Last date and time of online submission of tender	21-09-2023, 01:00 PM
2	Last date and time of physical submission of EMD, Tender processing Fee, any other document specified in the Bidding Document	21-09-2023, 02:00 PM
3	Date and time of online tender Opening	21-09-2023, 02:30 PM

Read As:

Sl. No.	Description	Schedule
1	Last date and time of online submission of tender	05-10-2023, 01:00 PM
2	Last date and time of physical submission of EMD, Tender processing Fee, any other document specified in the Bidding Document	05-10-2023, 02:00 PM
3	Date and time of online tender Opening	05-10-2023, 02:30 PM

SECTION - VI
LIST OF REQUIREMENTS

For	Read As
<p>Part II: Required Delivery Schedule: For Indigenous or for imported goods if supplied from India or for imported goods directly from foreign: Within 120 days from date of Notification of Award to be delivered, installed and commissioned at consignee site subject to availability of clear 90 days from the date of handing over of installation site by the consignee. The date of delivery will be the date of delivery at consignee site Layout drawings for approval are to be submitted within 30 days from the date of release of NOA.</p>	<p>For Indigenous or for imported goods if supplied from India or for imported goods directly from foreign: Within 180 days from date of Notification of Award to be delivered, installed and commissioned at consignee site subject to availability of clear 90 days from the date of handing over of installation site by the consignee. The date of delivery will be the date of delivery at consignee site Layout drawings for approval are to be submitted within 30 days from the date of release of NOA.</p>

SECTION – IX
Qualification Criteria

For:-

Eligibility Table:

Name of work	Sch. No.	Estimated Cost	Average Annual Turnover (@ 50% of estimated cost) in INR	Value of THREE Individual Orders Value (@ 40% of Estimate) in INR	Value of TWO Individual Orders Value (@ 60% of Estimate) in INR	Value of ONE Individual Orders Value (@ 80% of Estimate) in INR	Credit Limit for meeting 60% of the estimated cost in INR
MGPS - PMCH	1	4,00,00,000	5,50,00,000	1,60,00,000	2,40,00,000	3,20,00,000	5,40,00,000
MOT - PMCH		5,00,00,000		2,00,00,000	3,00,00,000	4,00,00,000	

Read As:

Name of work	Sch. No.	Estimated Cost	Average Annual Turnover (@ 50% of estimated cost) in INR	Value of THREE Individual Orders Value (@ 40% of Estimate) in INR	Value of TWO Individual Orders Value (@ 60% of Estimate) in INR	Value of ONE Individual Orders Value (@ 80% of Estimate) in INR	Credit Limit for meeting 60% of the estimated cost in INR
MGPS - PMCH	1	4,00,00,000	4,50,00,000	1,60,00,000	2,40,00,000	3,20,00,000	5,40,00,000
MOT - PMCH		5,00,00,000		2,00,00,000	3,00,00,000	4,00,00,000	

Response to Commercial Pre-Bid Queries

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
1	<p>Page 89 of 141: 3. Minimum Work of Similar Nature (MWSN): The bidder should have successfully executed during the last Five years ending last day of month previous to the one in which tenders are invited,</p> <p>(a) Three similar completed works each costing not less than 40% of the estimated cost put to tender, or</p> <p>(b) Two similar completed works each costing not less than 60% of the estimated cost put to tender, or</p> <p>(c) One similar completed work costing not less than 80% of the estimated cost put to tender. Example/Clarification: Similar Project means that Medical Gas Pipeline System meeting major technical parameters irrespective of material of construction. Similar Project means that Modular Operation Theatre meeting major technical parameters irrespective of material of construction.</p>	<p>Sir, you have floated a combined Tender for Medical Gas Pipeline System and Modular Operation Theatre. In similar completed work definition, you have asked separate qualification of MGPS with 3 works of 40%, 2 works of 60% and 1 work of 80% and similarly for MOT. We request, once the tender is combined, the Qualification Criteria should also be combined of MGPS and MOT under one agreement i.e. Three Similar completed works in Govt. Hospital of 40% of estimated cost put to tender or Two Similar completed works in Govt. Hospital of 60% of estimated cost put to tender or One Similar Completed work in Govt. Hospital of 80% of estimated cost put to tender There are no. of tenders, wherein combined MGPS and MOT qualification criteria is asked by Govt. Agencies such as CPWD/PWD/ UPRNN/Hospitals etc. Copy is enclosed herewith for your ready reference at Page 1 to 5. We request for combined MGPS and MOT work under one agreement.</p>	<p>Tender terms remains unchanged</p>
2	<p>Page no. 46 of 141, Section VI List of Requirements Part II: Required Delivery Schedule Period of Completion: Within 120 days</p>	<p>We request the delivery schedule should be 210 days as the mentioned delivery schedule is too less to arrange for the requirement/quantities/items mentioned in tender for MOT and MGPS.</p>	<p>Refer amendment</p>
3	<p>Page 18, Para 20.1 If not mentioned otherwise in the SIT, the tenders shall remain valid for acceptance for a period of 730 days (Seven Hundred and Thirty days) after the date of tender opening prescribed in the TE document.</p>	<p>We request the tender validity should be maximum 180 days as keeping/maintaining the validity for the period of 2 years is too much/higher side. No Govt. Agency ask 730 days of bid validity. We request the validity should be reduced to 180 days.</p>	<p>Tender terms remains unchanged</p>

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
4	<p>Page no. 46 of 141, Section VI List of Requirements Part II: Required Delivery Schedule For Indigenous or for imported goods if supplied from India or for imported goods directly from foreign Period of Completion: Within 120 days</p>	<p>We request the period of completion should be 180 days from date of opening of LC or date of approval of layout drawing or site handover whichever is later. The quantum of this Project is large and arranging quantity of material takes time. In the running site, we practically face many hindrances, problem when working comes. Most of the major items like Oxygen, Nitrous, Carbon Dioxide Control Panel, Medical Air, Medical Vacuum, AGSS/WAGD, Gas Outlets, Alarm System, Pendants for Anesthetist and Surgeon, OT Light With Camera etc. are important items for which procurement only starts after approval of final drawing which is a time consuming process.</p> <p>So, we hereby request that completion period should be 180 days from date of opening of LC or date of approval of layout drawing or site handover whichever is later.</p>	Refer amendment
5	<p>Page no. 38 of 141, S.No. 21.1 Terms and Mode of Payment Terms and Mode of Payment Seventy percent (70%) payment of the delivered goods price Twenty (20%) payment of the delivered goods price shall be paid on installation Balance Ten (10%) payment of the delivered goods value would be made against 'Final Acceptance Certificate' (FAC)</p>	<p>We request, 75% payment should be released on delivered goods. 15% payment should be released against installation of goods balance 10% on Final Acceptance Certificate.</p> <p>Please appreciate, as soon as the work order is received, the contractor has to initiate necessary actions for successful execution of the work order. Among the very important, Contractor need to place order to the respective suppliers along with 100% payment because supplier will not wait till the completion of the project. Here it is worthwhile to say that contractor do not get 75% payment as 1% towards Labour Cess; 10% towards Performance Bank Guarantee, 18% towards GST & in case of delay in supply then liquidated damages @ 10%. After going through all this in the nutshell a contractor gets</p>	Tender terms remains unchanged

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
		<p>approximately 46% amount at the initial stage. It is just a eye wash that 75% payment will be released on delivery of goods. Initial payment is the lifeline to the contractors.</p> <p>15% payment, should be released after installation certificate/installation report issued by the consignee and balance 10% against Final Acceptance Certificate. As per our experience, most of the sites are not ready for handover such as civil work is not complete, hospital staff is not available etc. etc. The contractor, need to wait for the payment till the final acceptance certificate.</p>	
6	<p>Page 23 of 141 S. No. 34.1 34. Comparison of Tenders “Net Present value (NPV) of the actual CMC price quoted for the required CMC period after the warranty period shall be considered for bid comparison and the NPV will be calculated after discounting the quoted CMC price by a discounting factor of 10% per annum.”</p>	<p>As the tender BOQ, CMC is to be calculated on Net Present Value basis, we request you to kindly provide the BOQ in Excel Format which normally HITES provides. This is requested to avoid any kind of ambiguity at later stage.</p>	<p>Tender terms remains unchanged</p>
7	<p>Tender Document Page No 92 Section IX Eligibility Table Credit Limit for meeting 60% of the estimated cost in INR 5.4 Crores</p>	<p>Kindly note that as per the CVC guidelines (attached herewith) and all the Govt. Institution and PSU's are seeking Credit Limit 40% of the contract value/estimate value. Hence request you to amend the requirement of the credit limit to 40% of the estimate value. Also request you the solvency certificate shall also be accepted in place of credit facility document.</p>	<p>Tender terms remains unchanged</p>
8	<p>Tender Document Page No 92 Section IX Eligibility Table MGPS -PMCH Estimated Cost 4,00,00,000 MOT - PMCH Estimated Cost 5,00,00,000</p>	<p>As per the tender document the estimated cost of MGPS is 4 Crores and MOT Crores; Kindly confirm whether this estimate is inclusive of GST or Not?</p>	<p>Estimated cost is on DDP basis</p>
9	<p>Tender Document Page No 92 Section IX Eligibility Table Average Annual Turnover (@ 50% of estimated cost) in INR 5,50,00,000</p>	<p>Kindly be informed that as per above mentioned clause the total estimated value is 9 Crore and As per page No 89 Section IX eligibility criteria Point No 2 Minimum average financial turnover of the bidder during the last three years,</p>	<p>For Turnover Criteria - refer amendment</p>

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
	<p>Page No 89 Section IX Eligibility Criteria 2. Turnover: 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 at least 50% of the Tender estimated value (or equivalent in foreign currency at the exchange rate prevalent on date of tender opening) as per the annual report (audited balance sheet and profit & loss account) of the relevant period, duly authenticated by a Chartered Accountant/ Cost Accountant in India or equivalent in relevant countries."</p>	<p>ending on 31st March of the previous financial year, should be at least 50% of the Tender estimated value ie. 4.5 Crores But as per Page No 92 Section IX eligibility table average annual turnover is mentioned as 5.5 Crores. Request you to amend the value mentioned in eligibility table to 4.5 Crores. Also kindly be noted that as per CVC guidelines financial turnover of the bidder during the last three years, ending on 31st March of the previous financial year, should be at least 30% of the Tender estimated value.</p>	<p>For Others, tender terms remain unchanged</p>
10	<p>Tender Document Page No 30 Point No 5 5. Performance Security 5.1 Within Fifteen(15) days from date of the issue of notification of award by the Purchaser/Consignee, the supplier, shall furnish performance security to the Purchaser/Consignee for an amount equal to ten percent(10%)of the total value of the contract, valid upto sixty (60) days after the date of completion of all contractual obligations by the supplier, including the warranty obligations, initially valid for a period of minimum 72 months from the date of Notification of Award.</p>	<p>Kindly note that most of the Govt Institution and PSU's are seeking performance security for 5% of the contract value and moreover considering the total value of project and validity seeked (6 years) request you to reduce the percentage of performance security to 5% to reduce the financial burden on bidder.</p>	<p>Tender terms remains unchanged</p>
11	<p>Tender document Page No 140 Clause.6. Fall Clause The BIDDER undertakes that it has not supplied/is not supplying similar product/systems or subsystems OR providing similar services at a price / charge lower than that offered in the present bid in respect of any other Ministry/Department of the Government of India or PSU and if it is found any stage that similar product/systems or sub systems was supplied by the BIDDER to any to the Ministry/Department of the Government of India or a PSU at a lower price, then that very price, with due allowance for elapsed time will be applicable to the present case and the</p>	<p>Considering the price volatility in the current market scenario, the fall clause may please be removed; It may not be possible to keep the same price Or even lower price for an order received in the past</p>	<p>Tender terms remains unchanged</p>

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
	<p>difference in the cost would be refunded by the BIDDER to HITES, if the contract has already been concluded</p>		
12	<p>(ii) PRICE BID (ONLY ONLINE):</p> <p>a) The tenderers must ensure that they submit the Price Bid in prescribed format uploaded along with the tender enquiry. It is the responsibility of the bidder to ensure that the contents of the format are not tampered.</p> <p>b) The tenderers must ensure that they submit the online tenders not later than the closing time and date specified for submission of tenders.</p> <p>c) Along with price bid recent purchase order copies for the same model and technical configuration issued by institute of National importance and/or reputed central/state government hospitals should be uploaded in pdf form for reasonability of the offered price.</p> <p>d) DELETED.</p> <p>e) DELETED.</p> <p>f) The supplier shall justify the present quotes based on previous purchase orders for similar project executed either in India or Globally. If they quote any new model or upgraded version of earlier model, they may mention the same in their tender.</p>	<p>Requirement as per Points 'f' shall also be deleted as it will be difficult for the bidder to justify the present quote in case if he had installed imported products in the similar projects he submitted for the qualification and for the current proposal 'indegenous products' are considered and hence the rate cannot be justified or even comparable. Considering this scenario the "Point f" shall please be removed.</p>	<p>Tender terms remains unchanged</p>
13	<p>Tender Document Page No 90 9. Manufacturer Authorization MGPS For the following major items, Manufacturer's Authorization should be submitted as per format Section XIV-A:</p>	<p>Please remove the requirement of "Manufacturer Authority Letter" in totality be it domestic or manufacturers from abroad. This is against CCI (Competition of Commission) ACT. This restrict the bidders in many ways i.e., it allows Bidders who are already getting orders regularly time and again from HITES by means of</p>	<p>Tender terms remain unchanged</p>

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
	<p>1 Oxygen Supply System 2 Nitrous Oxide Systems 3 Medical Air Plant (Package Unit) including electrical control panel 4 Medical Vacuum Plant (Package unit) 5 Duplex AGSS System 6 Gas Outlet Points/ Terminal Units with probe 7 Medical Gas Alarm Panel 8 CO2 Manifold with control panel (optional) Tender Document Page No 101 SECTION – XIV - A MANUFACTURER’S AUTHORISATION FORM Para 3 We further confirm that no supplier or firm or individual other than Messrs. _____ (name and address of the above agent) is authorised to submit a tender, process the same further and enter into a contract with you against your requirement as contained in the above referred TE documents for the above goods manufactured by us</p>	<p>getting their foreign manufacturers technical specifications with specific certifications etc., line by line and word by word incorporated in MGPS and MOT with whom these regular bidders sign exclusive right of selling in India does not allow other bidders to buy from such manufacturers. Your specifications should be generic and with functionality point of view with respects to maximum required flow rates and pressures. You should allow bidders to buy anything from open domestic and international market based on your requirement instead of pre such declaration. With this requirement of Manufacturer Authority letter We as bidders becomes their slaves in many respects i.e., price, delivery etc. because we are committing you that particular make and model only also many times such companies close down or sell their business too. ANOTHER QUESTION HAS HITES EVER ASKED SUCH MANUFACTURER AUTHORITY LETTER WITH TENDER FROM OTHER SUCH TURNKEY PROJECTS OF CIVIL, MEP, HVAC, ELECTRICAL ETC THAN WHY IN MGPS AND MOT. SO REQUEST YOU BREAK THIS PRACTICE FROM THIS TENDER ONWARDS TO CURB ON GOING CARTILIZATIONS</p>	
14	<p>Tender Validity: If not mentioned otherwise in the SIT, the tenders shall remain valid for acceptance for a period of 730 days (Seven Hundred and Thirty days) after the date of tender opening prescribed in the TE document. Any tender valid for a shorter period shall be treated as unresponsive and rejected.</p>	<p>If not mentioned otherwise in the SIT, the tenders shall remain valid for acceptance for a period of 180 days (One Hundred Eighty days) after the date of tender opening prescribed in the TE document. Any tender valid for a shorter period shall be treated as unresponsive and rejected. It should be amended for smooth execution of the project.</p>	Tender terms remains unchanged
15	<p>Terms and Mode of Payment: On delivery: a) Seventy percent (70%) payment of the delivered goods price shall be paid on receipt of goods in good condition and upon</p>	<p>On delivery: a) Seventy percent (80%) payment of the delivered goods price shall be paid on receipt of goods in good condition and upon the submission of the following documents.</p>	Tender terms remains unchanged

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
	<p>the submission of the following documents.</p> <p>b) Twenty (20%) payment of the delivered goods price shall be paid on installation and upon submission of following document.</p> <p>c) On Acceptance: Balance Ten (10%) payment of the delivered goods value would be made against 'Final Acceptance Certificate' (FAC) as per Section XVIII of goods to be issued by the consignees subject to recoveries, if any, either on account of non-rectification of defects/deficiencies not attended by the Supplier or otherwise. FAC need to be issued by the designated consignee after installation, commissioning, testing and one month of successful trial run of the equipment.</p>	<p>b) Twenty (15%) payment of the delivered goods price shall be paid on installation and upon submission of following document.</p> <p>c) On Acceptance: Balance Ten (5%) payment of the delivered goods value would be made against 'Final Acceptance Certificate' (FAC) as per Section XVIII of goods to be issued by the consignees subject to recoveries, if any, either on account of non-rectification of defects/deficiencies not attended by the Supplier or otherwise. FAC need to be issued by the designated consignee after installation, commissioning, testing and one month of successful trial run of the equipment.</p> <p>Existing clause is blocking the bidder amount. After testing & commissioning 10% already blocked with the department. Hence, requested to kindly amend the same for better cash flow of bidder to smooth execution of the project. Performance Security deposit is already mentioned in the tender to save the bidder performance during execution period. Hence existing clause is blocking the bidder amount for the warranty period, which is against CVC guidelines.</p>	
16	<p>Required Delivery Schedule: Within 120 days from date of Notification of Award to be delivered, installed and commissioned at consignee site subject to availability of clear 90 days from the date of handing over of installation site by the consignee. The date of delivery will be the date of delivery at consignee site. Layout drawings for approval are to be submitted within 30 days from the date of release of NOA</p>	<p>Required Delivery Schedule: Within 180 days from date of Notification of Award to be delivered, installed and commissioned at consignee site subject to availability of clear 120 days from the date of handing over of installation site by the consignee. The date of delivery will be the date of delivery at consignee site. Layout drawings for approval are to be submitted within 30 days from the date of release of NOA</p>	Refer amendment

Sl. No.	Tender Specification (Clause No & Page No)	Representations/ Amendments requested	HITES Reply
		Due to composite work of MGPS & MOT installation & commissioning require more time to complete. It should be amended for smooth execution of the project.	
17	<p>Minimum Work of Similar Nature (MWSN): The bidder should have successfully executed during the last Five years ending last day of month previous to the one in which tenders are invited, (a) Three similar completed works each costing not less than 40% of the estimated cost put to tender, or (b) Two similar completed works each costing not less than 60% of the estimated cost put to tender, or (c) One similar completed work costing not less than 80% of the estimated cost put to tender. Example/Clarification: Similar Project means that Medical Gas Pipeline System meeting major technical parameters irrespective of material of construction. Similar Project means that Modular operation Theatre meeting major technical parameters irrespective of material of construction.</p>	<p>Minimum Work of Similar Nature (MWSN): The bidder should have successfully executed during the last Five years ending last day of month previous to the one in which tenders are invited, (a) Three similar completed works each costing not less than 40% of the estimated cost put to tender, or (b) Two similar completed works each costing not less than 60% of the estimated cost put to tender, or (c) One similar completed work costing not less than 80% of the estimated cost put to tender. Example/Clarification: Similar Project means SITC of Medical Gas Pipeline System OR Modular Operation Theatre meeting major technical parameters irrespective of material of construction.</p> <p>As majority of work is Modular Operation Theatre in the tender, hence kindly consider either of MOT or MGPS work experience for similar project of works. Kindly amend the same for wider participation of experienced & specialized bidder to participate.</p>	Tender terms remains unchanged

Note:

- (i) Prospective Bidders are also advised to check the website regularly prior to the closing date and time of online submission of bids.
- (ii) All other contents of the tender enquiry including terms & conditions remain unaltered.
- (iii) EMD should be valid up to 775 days or more from the date of submission mentioned above.