

Amendment No. 07

Date: 20.06.2023

Sub: Amendment No.07 to the Tender Enquiry Document

Ref: (i) Tender No: HITES/PCD/AIIMS PATNA/04/22-23 dated 30-03-2023

Section I
Notice Inviting Tenders (NIT)

Tender timeline:

For:-

| Sl. No. | Description | Schedule |
|---------|---|---|
| b. | Closing date & time for submission of online bids | 22.06.2023, 01:00 PM |
| c. | Closing date & time for submission of tender processing fee and EMD in physical form* | 23.06.2023, 02:00 PM |
| d. | Time and date of opening of online bids | 23.06.2023 02:30 PM |
| e. | Venue for :- Submission of tender processing fee, EMD in physical form. Tender Opening-Tech Bid | HLL Infra Tech Services Limited, Procurement & Consultancy Services Division, B-14 A, Sector-62, Noida-201307 |

Read As:-

| Sl. No. | Description | Schedule |
|---------|---|---|
| b. | Closing date & time for submission of online bids | 06.07.2023, 01:00 PM |
| c. | Closing date & time for submission of tender processing fee and EMD in physical form* | 06.07.2023, 02:00 PM |
| d. | Time and date of opening of online bids | 07.07.2023 02:30 PM |
| e. | Venue for :- Submission of tender processing fee, EMD in physical form. Tender Opening-Tech Bid | HLL Infra Tech Services Limited, Procurement & Consultancy Services Division, B-14 A, Sector-62, Noida-201307 |

Note: If EMD is submitted in the form of BG/FDR, then the validity of the BG/FDR should be at least 775 days from the date of tender opening.

All other terms and conditions of the tender enquiry remain unaltered

Section – IX
Qualification Criteria (QC)

| Clause | For | Read As |
|--------|--|---|
| 2 | The bidder or its OEM should have supplied and installed in last Five years from the date of Tender Opening, at least 25% of the quoted quantity (rounded off to next whole number) of the similar equipment meeting major parameters of technical specification which is functioning satisfactorily | <p>a. The Manufacturer should have supplied and installed (performed self or through any of its reseller) in last Five years from the date of Tender Opening, at least 40% of the quoted quantity (rounded off to next whole number) of the similar equipment meeting major parameters of technical specification which is functioning satisfactorily.</p> <p>b. The Tenderers quoting as authorized representative of the manufacturer meeting the above criteria should have executed at least one contract in the last five years from the date of tender opening of medical equipment anywhere in India of the same manufacturer.</p> <p>Note: <i>In support of 2(a) & 2(b) above, the Tenderer shall furnish Performance statement in the enclosed Proforma 'A'. The manufacturer as well as the Tenderer/ Indian Agent shall furnish Satisfactory Performance cum installation Certificate in respect of above, duly translated in English and duly notarized in the country of origin, along with the tender. In case of GeM contract, Consignee Receipt & Acceptance Certificate (CR&AC) will also be considered as performance certificate.</i></p> |
| 3 | The bidders/ firms identifying as MSME and or start-up firms are exempted from fulfilling criteria at S. No. 2 (a) and 2(b) stated above. However, this does not exempt any bidder/ firm/ manufacturer from fulfilling the quality requirements. | <p>The bidders/ firms identifying as MSE and or start-up firms are exempted from fulfilling criteria at Sl. No. 2, 7 and 8 stated in QC. However, this does not exempt any bidder/ firm/ manufacturer from fulfilling the quality requirements. In case any bidder is seeking exemption from above criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.</p> <p>Under MSE category, only manufacturers for goods are eligible for exemption from EMD and exempted from fulfilling criteria at Sl. No. 2, 7 and 8 stated in QC. Traders are excluded from the purview of this Policy.</p> |

| Clause | For | Read As |
|-------------------------------------|--|--|
| 4 | 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 Competent Authority, as specified in Annexure-C of order F.No.6/18/2019-PPD dated 23-July-2020 and bidder must comply with all provisions mentioned in the order. A self declaration with respect to above order must be submitted | Bidders quoting equipment manufactured in countries sharing land border with India shall have to comply with GFR Rule 144 (xi) and have relevant registration. Bidder should submit following declaration on their letter head regarding GFR Rule 144 (xi) as per Department of Expenditure, Ministry of Finance Notification dated 23-Feb-2023 and its subsequent amendments/ clarification, if any: |
| Added para in Amendment no 5 | The following rule under 144 (xi) of GFR 2017 issued by Ministry of Finance dated 23.02.2023 needs to comply by the participating bidder in the said tender. Bidder should submit following declaration on their letter head regarding GFR Rule 144 (xi) as per Department of Expenditure, Ministry of Finance Notification dated 23-Feb-2023 and its subsequent amendments/ clarification, if any: (Copy of notification is enclosed) "I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India, I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered." Evidence of valid registration by the Competent Authority shall be attached. | "I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India, I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered." or Evidence of valid registration by the Competent Authority shall be attached if applicable. The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. [Applicable for Works contracts, including Turnkey contracts] |
| 7 | The average annual financial turnover of 'The bidder' during the last three years, ending on 31st March of last Financial Year, should be at 80% of the Tender estimated value (or equivalent in foreign currency at the exchange rate prevalent on 'The Relevant Date') 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." | The minimum average annual financial turnover of the bidder during the last three years, ending on 31 st 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." 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. |

| Clause | For | Read As |
|--------|--|---|
| | | <i>*For tenders floated in first two quarters of the financial year of 2023-24, then average annual financial turnover will be considered for last three years, ending on 31st March 2022. For tenders floated in last two quarters of the financial year of 2023-24, then average annual financial turnover will be considered for last three years, ending on 31st March 2023.</i> |
| 8 | The Bidder should submit a 'Credit Limit Certificate' of at least 110% of the Tender estimated value} (or equivalent in foreign currency at the exchange rate prevalent on 'The Relevant Date') duly certified by a Scheduled Nationalised Bank. | The Bidder should submit a 'Credit Limit Certificate' of at least 60% of the Tender estimated value (or equivalent in foreign currency at the exchange rate prevalent on date of tender opening) duly certified by a Nationalized Bank. The credit limit certificate must be valid at the time of tender opening or the date of issuance of credit limit certificate should not be older than three months at the time of tender opening. |
| 9. | The net worth of the bidder firm (manufacturer or principal of authorised representative) should not be negative on 31st March of last Financial Year and should have not eroded by more than 30% in the last three year, ending on 31st March of last Financial Year. | Deleted |

Note: - Apart from the clauses as tabulated above, all remaining terms of qualification criteria mentioned in the tender and subsequent amendments will remain the same.

Other Tender clauses

Following clauses are in supersession of respective clauses mentioned in tender document and amendments issued earlier.

1. Performance Security

Within twenty one (21) 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 up to sixty (60) days after the date of completion of all contractual obligations by the supplier, including the warranty obligations, which is initially valid for a period of minimum six months plus number of months under warranty from the date of Notification of Award.

2. If EMD/BG validity is short as per tender requirement, a 2 weeks' time from the date of tender opening will be provided to the bidder for re-submission/correction of the submitted EMD/BG.

3. 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.

- 4.** A Tenderer quoting imported items in INR will have to submit necessary documents like (This clause is applicable for Global tenders only).
 - a. Declaration confirming that the quoted items would be imported for the intended project (Tender reference number is to be quoted) only.
 - b. Bidder must submit Bill of Entry in the name of the project at the time of pre-dispatch inspection and with initial bill claimed documents. The documents should clearly state the name of the intended Project (Tender reference and/or Project Name) along with the quantities.