

Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण	
Bid End Date/Time/बिड बंद होने की तारीख/समय	03-06-2025 18:00:00
Bid Opening Date/Time/बिड खुलने की तारीख/समय	03-06-2025 18:30:00
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	90 (Days)
Ministry/State Name/मंत्रालय/राज्य का नाम	Ministry Of Heavy Industries And Public Enterprises
Department Name/विभाग का नाम	Department Of Heavy Industry
Organisation Name/संगठन का नाम	Andrew Yule Company Limited
Office Name/कार्यालय का नाम	Tea Division
क्रेता ईमेल/Buyer Email	buycon5.aycl.tn@gembuyer.in
Total Quantity/कुल मात्रा	28
Item Category/मद केटेगरी	Cloud based Scalable ERP solution for Fourteen Tea Garden for a duration of Five years , Yearly AMC Including Cloud Charges and all other Expenses for Five Years after successful implementa
GeMARPTS में खोजी गई स्ट्रिंग / Searched Strings used in GeMARPTS	Yearly AMC Including Cloud Charges and all other Expenses for Five Years after successful implementation
GeMARPTS में खोजा गया परिणाम / Searched Result generated in GeMARPTS	Category not available on GeM for the text string uploaded by the buyer
अधिसूचना के लिए चयनित प्रासंगिक श्रेणियाँ / Relevant Categories selected for notification	• Development Tools for Web Application / Portal Application Software
Minimum Average Annual Turnover of the bidder (For 3 Years)/बिडर का न्यूनतम औसत वार्षिक टर्नओवर (3 वर्षों का)	50 Lakh (s)
Years of Past Experience Required for same/similar service/उन्हीं/समान सेवाओं के लिए अपेक्षित विगत अनुभव के वर्ष	3 Year (s)
MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट	No
Startup Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से स्टार्टअप छूट	No

Bid Details/बिड विवरण	
Document required from seller/विक्रेता से मांगे गए दस्तावेज़	Experience Criteria,Past Performance,Bidder Turnover *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
Do you want to show documents uploaded by bidders to all bidders participated in bid?/	No
Past Performance/विगत प्रदर्शन	50 %
Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया	No
Type of Bid/बिड का प्रकार	Two Packet Bid
Primary product category	Cloud based Scalable ERP solution for Fourteen Tea Garden for a duration of Five years
Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय	2 Days
Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)	No
Evaluation Method/मूल्यांकन पद्धति	Total value wise evaluation
Arbitration Clause	No
Mediation Clause	No

EMD Detail/ईएमडी विवरण

Advisory Bank/एडवाइजरी बैंक	PUNJAB NATIONAL BANK
EMD Amount/ईएमडी राशि	70000

ePBG Detail/ईपीबीजी विवरण

Required/आवश्यकता	No
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(a). EMD EXEMPTION: The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid. Under MSE category, only manufacturers for goods and Service Providers for Services are eligible for exemption from EMD. Traders are excluded from the purview of this Policy./जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित केटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज़ प्रस्तुत करने हैं। एमएसई केटेगरी के अंतर्गत केवल वस्तुओं के लिए विनिर्माता तथा सेवाओं के लिए सेवा प्रदाता ईएमडी से छूट के पात्र हैं। व्यापारियों को इस नीति के दायरे से बाहर रखा गया है।

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

Beneficiary/लाभार्थी :
DGM (Supply Chain/Materials)

MII Purchase Preference/एमआईआई खरीद वरीयता

MII Purchase Preference/एमआईआई खरीद वरीयता	Yes
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MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता	Yes
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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. 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.

4. 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.

5. Past Performance: The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products for 50% 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.

Cloud Based Scalable ERP Solution For Fourteen Tea Garden For A Duration Of Five Years (14 pieces)

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

Technical Specifications/तकनीकी विशिष्टियाँ

Buyer Specification Document/क्रेता विशिष्टि दस्तावेज़	Download
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Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Quantity/मात्रा	Delivery Days/डिलीवरी के दिन
1	Ram Narayan Paul	700001,8, Dr. Rajendra Prasad Sarani	14	365

Yearly AMC Including Cloud Charges And All Other Expenses For Five Years After Successful Implementa (14 pieces)

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

Technical Specifications/तकनीकी विशिष्टियाँ

Buyer Specification Document/क्रेता विशिष्टि दस्तावेज़	Download
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Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Quantity/मात्रा	Delivery Days/डिलीवरी के दिन
1	Ram Narayan Paul	700001,8, Dr. Rajendra Prasad Sarani	14	730

Buyer Added Bid Specific Terms and Conditions/क्रेता द्वारा जोड़ी गई बिड की विशेष शर्तें

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. Generic

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- Copy of PAN Card.
- Copy of GSTIN.
- Copy of Cancelled Cheque.
- Copy of EFT Mandate duly certified by Bank.

3. Scope of Supply

Scope of supply (Bid price to include all cost components) : Supply Installation Testing Commissioning of Goods and Training of operators and providing Statutory Clearances required (if any)

4. Forms of EMD and PBG

Bidders can also submit the EMD with Banker's Cheque in favour of

Andrew Yule & Company Ltd
payable at
Kolkata

Bidder has to upload scanned copy / proof of the BC along with bid and has to ensure delivery of hardcopy to the Buyer within 5 days of Bid End date / Bid Opening date.

5. Forms of EMD and PBG

Bidders can also submit the EMD with Payment online through RTGS / internet banking in Beneficiary name

Andrew Yule & Company Ltd
Account No.
0084250314442

IFSC Code
PUNB0008420
Bank Name
Punjab National Bank
Branch address
Calcutta Branch, Kolkata - 700001

Bidder to indicate bid number and name of bidding entity in the transaction details field at the time of on-line transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer along with bid.

6. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

1. Scope of Work:

Andrew Yule & Company Limited (AYCL), a CPSE under the Ministry of Heavy Industries, is inviting competitive bids through GeM Portal **for implementing Cloud based Scalable ERP solution for Payroll, Accounts, Inventory, Factory and Sales Modules in 14 (Fourteen) Tea Garden for a duration of 05 (Five) years.**

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Interested and eligible bidders are requested to submit their bid through the GeM portal with all the requisite supportive documents. The **Government e-Marketplace (GeM)** is an online platform for government agencies to buy goods and services from suppliers. URL: <https://gem.gov.in/>. If there is any non-submission of information or supportive documents, the submitted bid may be rejected/ disqualified in the technical evaluation. Only relevant and to the point information/ documents should be submitted and will be acceptable. Failure to provide any required information, may lead to the rejection/disqualification of the bid.

2. Technical Specification:

To automate the activities of the AYCL Tea Division and its Tea Gardens through a software management system in the form a cloud based ERP System for Payroll, Accounts and Inventory, Factory and Sales Modules based on existing Rules and Regulations of the organization. Most of the manual work, document flow, data entry and processing and subsequent storage will be shifted or supplemented by this ERP system. This will enable processing, analyzing, reporting, retrieving, managing and rearranging the data and information effectively. For detailed specification please refer to **Annexure-III**.

Cloud Server Configuration

4 Core CPU, 16 GB RAM, 500 GB SSD, OS- Windows Server (Cloud)

3. Deliverables:

- (a) Implementation of a cloud-based, customized ERP solution specifically designed for the tea plantation industry.
- (b) The ERP system will include modules for Payroll, Accounts, Inventory, Factory Operations, and Sales, tailored to meet the requirements of the tea plantation sector.

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- (c) Migration of legacy data from existing systems to ERP solution
- (d) Implementation of role-based security for restricted access, ensuring data integrity and confidentiality.
- (e) Integration of Payroll with existing attendance system through API.
- (f) Taxation & Compliance
- (g) Banking (Auto bank reconciliation, Generate Cheque management, Generate cash deposit slips and payment advice, e-Payments)
- (h) Detailed technical documentation covering the Application architecture, setup, and maintenance procedures.
- (i) User Manual.
- (j) The ERP solution should provide seamless integration with other application as required by AYCL.
- (k) Implementation of MIS Reporting system to enable centralized monitoring of all tea gardens from the Head Office.
- (l) Provide on-site implementation and training. Gardens are in Assam & West Bengal.

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4. Interested bidders fulfilling the eligibility criteria prescribed here in above may apply with these terms of reference on or before 6:00 p.m. on 03.06.2025, along with all supporting documents, through online mode on GeM Portal only. The online offer should contain the following: a) Techno-commercial offer along with acceptance of NIT terms including supporting documents fulfilling the eligibility condition.

Annexure with this bid:-

Annexure-I - Declaration of Ineligibility

Annexure-II - Detailed Profile of the Intended Firms

Annexure-III - The requirement details of ERP Solution

5. Submission of EMD:

Earnest Money Deposit (EMD) of **Rs. 70,000/-** (Rupees Seventy Thousand only) by Bankers Cheque favouring '**Andrew Yule & Co. Ltd.**' payable at **Kolkata**. The copy of EMD Cheque should be uploaded in GeM Portal against this tender. The original EMD Cheque should be forwarded to the address given below and should reach AYCL office on or before the last date of submission of Offer, failing which the bidder's offer shall not be opened. **The EMD amount will be considered as the bid security for the L1 bidder. Exemptions as per MSME ACT & Other relevant Government Act is applicable**

Mr. Shantanu Boral

Dy. General Manager (Supply Chain & Materials)

Andrew Yule & Co. Ltd.

8, Dr. Rajendra Prasad Sarani,

Kolkata - 700001

Phone: 033 22428210/8550

Email: shantanu.boral@andrewyule.com

For online submission of EMD, the bidders may make the payment to the bank account details given as under through NEFT/RTGS/other payment mode. In case of online submission of EMD, the UTR No / Transaction Number shall be entered in the GeM portal:

Name of the Beneficiary	: Andrew Yule & Company Ltd
Account Number	: 0084250314442
Name of Bank	: Punjab National Bank
Address of the Bank	: Calcutta Branch, Kolkata - 700001
IFSC Code	: PUNB0008420

6. Qualification Criteria:

- (a) The bidder shall be a Government Organization/ Society (registered under established relevant central Acts)/ or a reputed private company/ firm. Necessary proof should be submitted.
- (b) The Bidder must have minimum of **3 (Three)** years of past experience in providing and implementing ERP solutions **in Tea Plantation Industry** and at least one garden being more than 400 hectares. Relevant documents (Copy of Work Order/ Work Completion certificate) as proof of experience must be uploaded at the time of submission of Bid or else the Bidder will not be qualified for Price Bid.
- (c) The software ERP solution should be currently in use by **minimum 10 (Ten) garbans**. Documentary evidence to be provided (Copy of Purchase Order / Contract Agreement etc.).
- (d) The bidder must have fully operational/ functional/ registered office/ branch office **at Kolkata** (from which service rendered) as on date of bid submission and the details of organizational profile, contact address, manpower details along with copy of registration certificate of the firm (incorporation certificate or registration certificate) should be submitted. Necessary proof should be submitted in support of its office at Kolkata or else the Bidder will not be qualified for price Bid.
- (e) Minimum average annual turnover of the firm during the preceding last 3 financial years should not be less than **50 (Fifty) lakhs**. Attach Balance sheet and Profit & Loss account details with Bid. (Please upload the scan copies) duly certified.

ed by the Chartered Accountant.

- (f) The bidder should furnish copies of GST registration, PAN/TIN, MSME Registration No of the firm (Please upload the scan copies).
- (g) Bidder should not be blacklisted by any Govt./State Dept./PSU. An undertaking certificate in bidders' letterhead should be submitted by bidder (Please upload the scan copies).
- (h) Offers to be kept valid for acceptance for 90 days from the due date of the Tender or as may be extended mutually thereafter.

7. Award of Contract

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- AYCL shall award the contract to the **lowest priced (L1)** bidder subject to being found technically, commercially and financially acceptable by AYCL based on the qualification criteria, experience, past performance and technical capability.
- The Technical evaluation will comprise of:

- **Part I + Part II:**

Part I – Criteria for Bidder: 70 Marks

SI No	Criteria	Minimum Points	Points Per Unit	Maximum Points
1	Bidder must have minimum of 3 years' experience, including work with at least one tea garden of more than 400 hectares.	15 (For 3 Years of experience and at least one garden being more than 400 hectares)	1 point for each additional year of experience beyond 3 years	20
2	The bidder's ERP solution must be currently operational in at least 10 tea gardens.	15 (For 10 Gardens of experience)	1 point for each additional garden beyond 10	20
3	The bidder must have fully operational/ functional / registered office/ branch office at Kolkata		Lump Sum	10

4	Average Annual Turnover for the Last 3 FYs (minimum Rs. 50 lakh)	15 (For Average Annual Turnover for the Last 3 FYs Rs. 50 Lakh)	1 point for every additional Rs. 10 lakhs above Rs. 50 lakhs	20
	Total			70

Part II - Demonstration and Presentation of ERP System: 30 Marks

- Evaluation based on the quality and effectiveness of the demonstration and presentation.

Note: If during the presentation, the vendor fails to demonstrate the required features mentioned in Annexure-III, the Marks will be deducted.

Bidders obtaining more than 60 percentage marks (Part-I + Part-II) in Technical Evaluation shall only be considered for financial evaluation.

Part III - Financial Bid:

Bidders should submit their bids for implementation of Cloud-based ERP solution for Payroll, Accounts, Inventory, Factory and Sales modules in 14 (Fourteen) Tea Gardens for a duration of five (5) years (inclusive of GST and all other charges if any). The bid should also include the cost of cloud services for the entire five-year period.

Particulars	No. of Gardens	Rate/Garden (In Rs.)	Total Amount (In Rs.)
Initial Installation Fees (Inclusive of GST)	14		
Yearly AMC (Including Cloud Charges and all other Expenses) for Five Years after successful implementation (Inclusive of GST)	14		
Total			

For the purpose of evaluation, the Financial bid will be considered in totality basis. The total bid value will be on the basis of Net Present Value (NPV).

The selection of successful Bidder will be based on Commercial Bid offered (L1) by eligible technically qualified Bidder and reasonability of the bid.

8. Delivery Period

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Supply and installation of ERP Solution shall be implemented in phases. For the 1st Phase (One garden) shall have to be completed within 6 (Six) months from the date of signing of Contract.

After successful completion of first phase, AYCL will implement it in the remaining gardens in phased manner. It is planned to complete the project within a year's time after receiving the order.

9. Payment

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- Installation Fees:

90% of the installation fee will be released after successful installation, implementation, and commissioning of the ERP system for each individual garden.

The remaining 10% will be paid after one year of successful performance following installation, implementation, and commissioning for each individual garden.

- Annual Maintenance Contract (AMC) Charges:

AMC charges will be paid on a pro-rata quarterly basis per garden.

The final quarterly payment will be subject to a performance review certificate issued by the concerned division or department.

10. Maintenance

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The agency is expected to maintain the Cloud-based ERP solution for Payroll, Accounts, Inventory, Factory and Sales modules for overall **05 (Five) years (24 X 7 X 365)** subject to satisfactory performance of the agency which will be evaluated every half year.

11. Back up Source Code/Data

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On the event of expiration / termination of the contract, the agency shall be liable for handing over of entire source code and data to AYCL.

12. Assignment of Contract

The bidder shall not assign the contract or any part thereof to anyone else.

13. Obligations of the bidder

a) The Firm undertakes to perform the Services with the highest standards of professional and ethical competence and integrity. The Firm shall promptly replace any employees assigned under this Contract that the Client considers unsatisfactory.

b) The Firm and his Personnel shall not, disclose any proprietary or confidential information relating to the Services, this Contract, or the Client's business or operations without the prior written consent of the Client during the term.

14. Performance of the successful bidder:

a) The performance of the successful bidder will be periodically reviewed by the concerned department of the company. AYCL reserves the right to terminate the contract at any stage if the bidder's performance is found to be unsatisfactory.

b) In case of unsatisfactory performance of the successful bidder, within the tenure of the contract for any reason thereof, the same shall be liable for penal action as decided by AYCL Management.

c) The bidder must ensure minimum server uptime of 99%. In case of downtime exceeding the acceptable threshold, penalty will be applied on a quarterly basis as follows:

For every 12 hours of downtime beyond the acceptable limit within a quarter, penalty of 1% of the AMC charges will be levied.

Example:

If the total downtime in a quarter is 48 hours, the penalty will be calculated as follows:

culated as:

$48 \text{ hours} \div 12 = 4 \text{ units of penalty}$

$4 \times 1\% \text{ of Rs. } 30,000 \text{ (AMC Charges)} = \text{Rs. } 1,200$

In this case, Rs. 1,200 will be deducted from the quarterly AMC Charges.

15. Bid rejection terms and conditions:

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- Ø Bidders not submitting the required documents as per the tender document
- Ø The bidders are required to give a declaration in **Annexure-I** to the fact that the bidding Firm/Company has not been banned/de-listed/debarred by any PSU/Govt. Dept. during last 3(three) years.
- Ø The bidders are required to give a declaration in **Annexure-II & Annexure-III**.

Price should only be quoted in the financial bid section of GEM portal, otherwise the bid will be rejected.

16. Applicable Laws and Jurisdiction of Courts

This agreement shall be construed and interpreted in accordance with the laws of India and shall have exclusive jurisdiction of Kolkata courts, West Bengal, India.

17. Termination of Contract

Review of service will be conducted periodically (Monthly/quarterly) by the concerned Department upon which payment will be made and AYCL reserves the right to terminate this Contract without stating any further notice.

18. Resolution of disputes

It should be clearly understood that if appointed, the agreement between AYCL and the Service Provider will be signed, executed and concluded by and between the parties at Kolkata and in the event of any dispute arising out of the said agreement between the parties only the appropriate Civil Court in the City of Kolkata shall have the exclusive jurisdiction to entertain, try and determine the said proceedings in the exclusion of all other court

S.

19. Confidentiality:

- a) The successful bidder agrees that any advice or communication or information or documents as disclosed by the licensee pursuant to the proposed Agreement in connection to this job, in any form, shall be treated as strictly confidential and will be used solely by the successful bidder only for the purpose of execution of the job. The successful bidder should further warrant that such advice and communication will not be disclosed by him or any of its personnel without the prior written approval of the licensee unless the successful bidder is required to do so by law or by any government authority, under immediate intimation to the licensee. However, in the event of violation of the confidentiality for which consequential damages sustained by the licensee, the successful bidder should agree to make necessary good to the licensee for the same.
- b) The successful bidder should agree that all confidential information relating to the proposed Agreement and the information that would be disclosed to him for the purpose of the proposed job shall be kept confidential from the date commencement of the agreement. All the confidential information/documents/data will be kept confidential for sine die provided that the foregoing confidentiality obligation shall not apply to:
 - i) Any disclosure made in connection with or for the purpose of or the execution of this job.
 - ii) Any disclosure pursuant to (a) requirement under any law, regulation or litigation, (b) the order or request of any court or administrative agency or any governmental, regulatory supervisory or other authority
 - iii) Any information which, prior to its disclosure to the successful bidder in connection with the job was already in the possession of the successful bidder or thereafter becomes known to the successful bidder on a non-confidential basis from a source other than the licensee.
 - iv) Any information which would develop independently by the successful bidder without reference to or reliance on the licensee's confidential information.
 - v) Any information that would be made public with the prior consent of the licensee.
 - vi) The Selected Entity and/ or its employees/representatives shall

maintain utmost confidentiality at all times (even beyond the contract/service period) of information and/or data obtained from or about AYCL in connection to this Tender as well as the service provided/to be provided (unless demanded in writing by any Govt./Statutory/Court of Law Authority).

20. The Selected Entity or its employees/representatives will not commit any criminal offence under the relevant Anti-Corruption Laws of India; further the Selected Entity or its employees/representatives will not use improperly, for purposes of competition or personal gain, or pass on to others, any information provided by AYCL as part of the business relationship, regarding plans technical proposals and business details, including information contained or transmitted electronically.

21. PRE-BID MEETING:

- AYCL will hold a pre bid meeting, through video conferencing, with the prospective applicant(s) on 22.05.2025 at 3:30 pm to discuss the requirement and purpose of the tender.
- Before pre-bid meeting, queries can be sent to DGM (Supply chain & Materials) via e-mail: shantanu.boral@andrewyule.com and sk.mustaque@andrewyule.com.
- Only queries received before 3 days of pre bid meeting date will be entertained in the pre-bid meeting. Queries received after the said date may/may not be considered in pre-bid meeting. But shall be discussed during the meeting.
- Maximum of two representatives of each Applicant shall be allowed to participate in the pre-bid meeting.
- The link for pre-bid meeting would be <https://meet.google.com/mop-hwio-ifh>

The pre-bid discussion corrigendum if any shall be uploaded in AYCL website, and GeM Portal.

7. Buyer Added Bid Specific ATC

Buyer uploaded ATC document [Click here to view the file.](#)

Disclaimer/अस्वीकरण

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.

[This Bid is also governed by the General Terms and Conditions/ यह बिड सामान्य शर्तों के अंतर्गत भी शासित है](#)

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./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 कार्यवाई का आधार होगा।

---Thank You/धन्यवाद---

