

**बिड दस्तावेज़ / Bid Document**

बिड विवरण / Bid Details	
बिड बंद होने की तारीख/समय / Bid End Date/Time	10-12-2025 13:00:00
बिड खुलने की तारीख/समय / Bid Opening Date/Time	10-12-2025 13:30:00
बिड पेशकश वैधता (बंद होने की तारीख से) / Bid Offer Validity (From End Date)	120 (Days)
मंत्रालय/राज्य का नाम / Ministry/State Name	Ministry Of Petroleum And Natural Gas
विभाग का नाम / Department Name	Na
संगठन का नाम / Organisation Name	Hindustan Petroleum Corporation Ltd
कार्यालय का नाम / Office Name	Petroleum House
कुल मात्रा / Total Quantity	100
वस्तु श्रेणी / Item Category	Stationary Valve Regulated Lead Acid Batteries (V2) as per IS 15549 (Q3)
एमएसएमई के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / MSE Exemption for Years of Experience and Turnover	No
स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / Startup Exemption for Years of Experience and Turnover	No
विक्रेता से मांगे गए दस्तावेज़ / Document required from seller	Experience Criteria, Bidder Turnover, Certificate (Requested in ATC), OEM Authorization Certificate, Additional Doc 1 (Requested in ATC), Compliance of BoQ specification and supporting document *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
क्या आप निविदाकारों द्वारा अपलोड किए गए दस्तावेज़ों को निविदा में भाग लेने वाले सभी निविदाकारों को दिखाना चाहते हैं? संदर्भ मेनू है / Do you want to show documents uploaded by bidders to all bidders participated in bid?	No
बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या / Minimum number of bids required to disable automatic bid extension	1

बिड विवरण/Bid Details	
दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / <b>Number of days for which Bid would be auto-extended</b>	3
ऑटो एक्सटेंशन अधिकतम कितनी बार किया जाना है। / <b>Number of Auto Extension count</b>	1
बिड से रिवर्स नीलामी सक्रिय किया/Bid to RA enabled	Yes
रिवर्स नीलामी योग्यता नियम/RA Qualification Rule	H1-Highest Priced Bid Elimination
बिड का प्रकार/Type of Bid	Two Packet Bid
तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय /Time allowed for Technical Clarifications during technical evaluation	2 Days
निरीक्षण आवश्यक (सूचीबद्ध निरीक्षण प्राधिकरण /जेम के साथ पूर्व पंजीकृत एजेंसियों द्वारा)/Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)	No
मूल्यांकन पद्धति/Evaluation Method	Total value wise evaluation
मध्यस्थता खंड/Arbitration Clause	No
सुलह खंड/Mediation Clause	No

#### ईएमडी विवरण/EMD Detail

एडवाइजरी बैंक/Advisory Bank	ICICI
ईएमडी राशि/EMD Amount	19500

#### ईपीबीजी विवरण /ePBG Detail

एडवाइजरी बैंक/Advisory Bank	ICICI
ईपीबीजी प्रतिशत (%) /ePBG Percentage(%)	5.00
ईपीबीजी की आवश्यक अवधि (माह) /Duration of ePBG required (Months).	27

(a). जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित केटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज प्रस्तुत करने है। 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।/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.

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

**लाभार्थी /Beneficiary :**

HPCL

HPCL NZ Retail Office 8th Floor, Scope minar Laxmi Nagar Delhi-110092  
(Hindustan Petroleum Corporation Limited)

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

**एमआईआई खरीद वरीयता/MII Purchase Preference**

एमआईआई खरीद वरीयता/MII Purchase Preference	No
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**एमआईआई के लिए सक्षम प्राधिकारी का विवरण:/Details of the Competent Authority for MII**

सक्षम प्राधिकारी का नाम/Name of Competent Authority	MONPG circular
सक्षम प्राधिकारी का पदनाम/Designation of Competent Authority	MONPG circular
सक्षम प्राधिकारी का कार्यालय/विभाग/प्रभाग/Office / Department / Division of Competent Authority	MONPG circular
सीए अनुमोदन संख्या/CA Approval Number	MONPG circular
सक्षम प्राधिकारी अनुमोदन तिथि/Competent Authority Approval Date	26-04-2022
सक्षम प्राधिकारी द्वारा प्रदान की गई स्वीकृति का संक्षिप्त विवरण/Brief Description of the Approval Granted by Competent Authority	as per monpg circular , small purchase upto 1cr is exempted

Competent Authority Approval for not opting Make In India Preference : [View Document](#)**एमएसई खरीद वरीयता/MSE Purchase Preference**

एमएसई खरीद वरीयता/MSE Purchase Preference	Yes
सूक्ष्म और लघु उद्यम मूल उपकरण निर्माताओं को खरीद में प्राथमिकता, यदि उनका मूल्य $L1+X\%$ तक की सीमा में हो / Purchase Preference to MSE OEMs available upto price within $L1+X\%$	15
सूक्ष्म और लघु उद्यम को खरीद में प्राथमिकता के लिए बिड की मात्रा का अधिकतम प्रतिशत / Maximum Percentage of Bid quantity for MSE purchase preference	100

1. 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 100% (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.

2. Estimated Bid Value indicated above is being declared solely for the purpose of guidance on EMD amount and for determining the Eligibility Criteria related to Turn Over, Past Performance and Project / Past Experience etc. This has no relevance or bearing on the price to be quoted by the bidders and is also not going to have any impact on bid participation. Also this is not going to be used as a criteria in determining reasonableness of quoted prices which would be determined by the buyer based on its own assessment of reasonableness and based on competitive prices received in Bid / RA process.

3. Reverse Auction would be conducted amongst all the technically qualified bidders except the Highest quoting bidder. The technically qualified Highest Quoting bidder will not be allowed to participate in RA. However, H-1 will also be allowed to participate in RA in following cases:

- If number of technically qualified bidders are only 2 or 3.
- If Buyer has chosen to split the bid amongst N sellers, and H1 bid is coming within N.
- In case Primary product of only one OEM is left in contention for participation in RA on elimination of H-1.
- If L-1 is non-MSE and H-1 is eligible MSE and H-1 price is coming within price band of 15% of Non-MSE L-1
- If L-1 is non-MII and H-1 is eligible MII and H-1 price is coming within price band of 20% of Non-MII L-1

## Stationary Valve Regulated Lead Acid Batteries (V2) As Per IS 15549 ( 100 pieces )

### तकनीकी विशिष्टियाँ /Technical Specifications

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

विवरण/Specification	विशिष्टि का नाम /Specification Name	बिड के लिए आवश्यक अनुमत मूल्य /Bid Requirement (Allowed Values)
Generic	Battery voltage (in volt)	12
	Battery capacity (in Ah)	100
Construction	Number of cells per battery	6 Cells for 12 Volt Battery
Warranty and Marking	Warranty (in years)	2, 3 Or higher

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

क्र.सं./S.N o.	परेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer	पता/Address	मात्रा /Quantity	डिलीवरी के दिन/Delivery Days
1	Agin Antony	110092,HPCL, 6th Floor, Core-2, Scope Minar, Laxmi Nagar EAST DELHI - 110092	100	730

### Buyer added Bid Specific Additional Scope of Work

क्र.सं./S.N o.	Document Title	Description	रिवर्स प्रभार के अनुसार जीएसटी/Applicable i.r.o. Items
1	Technical document <a href="#">View</a>	Technical document	Stationary Valve Regulated Lead Acid Batteries (V2) As Per IS 15549(100)

The uploaded document only contains Buyer specific Additional Scope of Work and / or Drawings for the bid items added with due approval of Buyer's competent authority. Buyer has certified that these additional scope and drawings are generalized and would not lead to any restrictive bidding.

**Special terms and conditions-Version:1 effective from 19-08-2024 for category Stationary Valve Regulated Lead Acid Batteries (V2) as per IS 15549**

- Battery serial number list to be furnished by the seller along with the supply of the battery to the buyer.

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

**1. Generic**

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity up to 25% of the contracted quantity during the currency of the contract at the contracted rates. The delivery period of quantity shall commence from the last date of original delivery order and in cases where option clause is exercised during the extended delivery period the additional time shall commence from the last date of extended delivery period. The additional delivery time shall be  $(\text{Increased quantity} \div \text{Original quantity}) \times \text{Original delivery period (in days)}$ , subject to minimum of 30 days. If the original delivery period is less than 30 days, the additional time equals the original delivery period. The Purchaser may extend this calculated delivery duration up to the original delivery period while exercising the option clause. Bidders must comply with these terms.

**2. 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)

**3. Certificates**

Bidder's offer is liable to be rejected if they don't upload any of the certificates / documents sought in the Bid document, ATC and Corrigendum if any.

**4. Certificates**

The bidder is required to upload, along with the bid, all relevant certificates such as BIS licence, type test certificate, approval certificates and other certificates as prescribed in the Product Specification given in the bid document.

**5. Certificates**

To be eligible for award of contract, Bidder / OEM must possess following Certificates / Test Reports on the date of bid opening (to be uploaded with bid):

Vendor should submit OEM authorized dealership certificate

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**6. Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

1) NOTE TO VENDOR :-

- a) Vendor has to quote the entire amount including all taxes (GST and extras) against each item considering all services/supply as detailed in scope of job and tender terms and conditions of bid.
- b) While generating invoice in GeM portal, the seller must upload scanned copy of GST invoice and the screenshot of GST portal confirming payment of GST.
- c) Supplier shall ensure that the Invoice is raised in the name of Consignee with GSTIN of Consignee only.
- d) Please refer BOQ, Specification of item, and other document (scope of job, PQC, SLA, payment terms etc) for more details as attached in "[Buyer Added Bid Specific ATC](#)".
- e) Contract Period: The contract will be valid for 2 years from the date of LOI/PO which ever is earlier
- f) To avail benefits offered to MSE bidders like EMD exemption, PQC relaxation etc. bidder must have valid UDYAM registration valid as on bid due date. All other MSE certificates like UDYOG, NSIC, EM-II or UAM registration etc. are no longer acceptable.

[Bidder to refer the security deposit clause/Performance Security for tender as mentioned below only:-](#)

g) SD/CPBG/Performance Guarantee/security :

- Successful vendors will be required to furnish Security Deposit of 2% of total contract value in the form of payment/Bank Guarantee in favour of Hindustan Petroleum Corp Ltd, within 15 days from the date of intimation of acceptance of their tender, failing which HPCL shall:- (a) if the bidder has commenced the work/supplies, deduct the same from the first and subsequent Running Account Bill(s) of the Bidder/ Contractor and (b) if the bidder does not commence the work/supplies, cancel the Contract and forfeit the EMD. Security deposit shall be refunded upon completion of the works in all respects. The same shall not carry any interest.
- Additionally, Performance Guarantee/Security – 5% of contract value
- Alternatively, Composite Performance Bank Guarantee (CPBG) for 5% of PO value will be accepted in lieu of Security Deposit and Performance Guarantee/security; such CPBG shall be valid up to a period of 3 months beyond the expiry of defect liability period.
- Original Bank Guarantee towards CPBG is required to be submitted to respective consignee of their respective schedule
- A vendor who wishes to submit a bank guarantee (BG) towards Security Deposit (SD)/Composite Performance Bank Guarantee (CPBG)/Advances/ towards any other requirement of the tender, is required to ensure that
  - (i) The issuing bank is on SFMS platform
  - (ii) BG contains following details:
    - a. Beneficiary's bank Name: ICICI Bank
    - b. ISFC Code: ICIC0000393.
    - c. HPCL's Customer ID: HPCL508902133NO

(iii) Attach a copy of SFMS Delivery Report showing HPCL customer ID in row/field number 7037 of SFMS Delivery Report. FIELD NO. 7037 OF 760COV TO BE UPDATED WITH HPCL508902133NO

h) Vendor shall submit either security deposit as 2% and Performance Guarantee /Performance security as 5% OR CPBG of 5% towards Performance Guarantee inclusive of Security Deposit shall be accepted.

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#### **EMD SUBMISSION:**

1.1 Bidder shall furnish as part of its bid, a Bid Security(#), in original form and, in the amount and currency specified above or requisite document for exemption from Bid Security, as applicable. Any bid not accompanied with a requisite Bid security or the Bid Security not being for the required amount or Bids without requisite Bid security exemption document, shall be summarily rejected by HPCL. Format of Bank Guarantee for Bid Security is provided in Bidding Forms.

EMD can be submitted in the form of:

1) BG

**Bidders to note that EMD through Bank Guarantee (BG in HPCL format only) is acceptable. However, EMD through ePBG (as per GEM), Demand Draft (DD) is not acceptable.**

1.2 Bids must be accompanied with the Bid security(#) as mentioned above in the form of non-revocable Bank Guarantee from any Indian Scheduled Bank (other than Co-operative Bank) included in the attached list of banks acceptable to HPCL, in favour of "Hindustan Petroleum Corporation Limited" **payable at Mumbai** (as per the format attached in the tender).

In case above EMD bank guarantee (in case of global tenders) is issued by foreign bank (should also be from the list attached with this NIT), the same will be confirmed by any Indian Scheduled Bank (other than Co-operative Bank) included in the bank list attached with this NIT.

Bidders are advised to instruct their banks not to post Bid Security directly to HPCL as the same has to be deposited as explained below.

The place of encashment of BG shall be Mumbai.

#### **Banking details for BG issuance is:**

Beneficiary Bank Name : ICICI Bank LIMITED

Branch Address : 163 BACKBAY RECLAMATION, MUMBAI 400020

IFSC Code : ICIC0000393

Telephone Number : 022 - 67574314 / 4322

Email ID : tradekcm@icicibank.com

Beneficiary : HINDUSTAN PETROLEUM CORPORATION LIMITED

HPCL Customer ID : 508902133

Issuing bank should sent SFMS confirmation to ICICI Bank Limited with IFSC Code ICIC0000393.

**The concerned bidder is advised to take a print-out of SFMS Delivery Report from the B G Issuing Bank Branch and attach copy of the same along with the hard copy of BG while submitting the same to HPCL**

**Note:** Beneficiary & Bank details provided above are only for submission of Bank Guarantee. This account should not be used for submission of EMD amount via any form of e-payment. In case a bidder makes e-payment to above bank account, the bid will be considered without EMD and thus will be rejected.

As per GeM GTC, Bid Security (#) in the form of BG as scanned copy shall be uploaded by bidder in the online bid and, **in original**, must be deposited on or before bid due date, in the tender box provided at following address:

#### **Tender Box**

##### **HPCL**

**6th Floor, Core 2,**

**Scope Minar,**

**Laxmi Nagar, Delhi 110092**

“Bid Security/EMD exemption document uploaded at GeM shall be acceptable in lieu of EMD exemption subject to verification of authenticity of the same”.

1.3 In case of an incorporated JV, the Bid Security shall be submitted by the incorporated JV in original form and, “in the amount and currency” specified above.

1.4 HPCL shall not pay any interest on Bid Security furnished. Further, in case bank guarantee submitted is found to be fake, bid of such bidder shall be rejected and may initiate action as deemed necessary as per HPCL prevailing policy.

1.5 The bid security shall be valid for six (6) months beyond the original due date for submission of bids, or beyond any period of extension if requested under Clause 17.2 of ITB.

1.6 Bid securities of the unsuccessful bidders should be returned at the earliest after opening of the price bids and approval of L1 bid and in any case, latest by the 30th day after the award of the contract. Bid security should be refunded to the successful bidder on receipt of a performance security. However, in case of two packet or two stage bidding, Bid securities of unsuccessful bidders during first stage i.e. technical evaluation etc. should be returned within 30 days of declaration of result of first stage i.e. technical evaluation etc. However, in case HPCL decides to cancel / annul the Enquiry / bidding document at any stage during the bidding process but before the award of work/ items (as applicable), EMD of the bidders shall be returned at the earliest from the date of such decision



1.7 Bid Security received late due to any reasons shall not be accepted and the bid will be rejected.

1.8 In case bidder quotes for more than one schedule, the requirement of bid security amount shall be on cumulative basis if applicable. In case of short fall in submitted bid security, complete offer shall be liable for rejection.

### **Earnest Money Deposit (EMD):**

Tenders received without Earnest Money Deposit will be rejected.

Exceptions:

The following categories of tenderers are exempted from EMD (Bid Security):

- a. Public Sector Enterprises
- b. Vendors registered as Micro / Small Enterprises (MSEs)
- c. Start-ups as recognized by Department for Promotion of Industry and Internal Trade (DPIIT)
- d. Categories as per GeM GTC.

For this purpose, in the event of the tendering company being a Public Sector Enterprise, a declaration to that effect and in the case of Vendors registered as MSEs, a copy of the relevant registration certificate or other such document specified by Government of India (currently Udyam Registration Certificate) to be submitted.

In cases of EMD exemption, Bidders shall sign a Bid securing declaration accepting that if they withdraw or modify their Bids during the period of validity, or if they are awarded the contract and they fail to sign the contract, or to submit a performance security before the deadline defined in the request for bids/ request for proposals document, they will be suspended for a period of one year from being eligible to submit Bids/ Proposals for contracts with the Procurement Authority. If Bid declaration is not given, such bids shall be rejected.

The EMD shall be paid in the form of Bank Guarantee in the prescribed proforma issued by a Scheduled Bank in India (other than co-operative banks). EMD should be valid for 45 days beyond the bid validity. GeM GTC/procedures shall be applicable for collection/refund of EMD. GeM GTC/procedures shall be applicable for collection/refund of EMD.

Original EMD in a sealed cover, clearly superscribed with Tender No., Due date and time on the envelope, should reach to the following address before the due date and time specified in the tender/ addendums thereto otherwise bid will be rejected

**Address: TENDER BOX at CPO-NZ, 6TH FLOOR, SCOPE MINAR, CORE-II, NORTH TOWER, LAXMI NAGAR, DELHI-110092**

### **3. EMD FORFEITURE:**

**The bid security shall be forfeited:**

**a) if a bidder withdraws its bid during the period of bid validity, or any extension thereto provided by the bidder; or submits multiple bids in accordance on his own modifies his bid during the period of bid validity; or**

**b) If the Information/ documents forming basis of evaluation submitted by the bidder in the bid is found to be false/ forged in accordance with relevant provisions provided in Bidding Document.**

**c) Any other provision specifically mentioned in the Bidding Document .**

**DISCLAIMER: - Besides above, Owner reserves the right to forfeit the EMD of bidder (in case EMD is applicable) and take further action as per corporation's (HPCL's) policy in case bidder deviates from his submitted offer / adopt unfair practices.**

### **Usage of TReDS Platform by MSE Vendors**

The Government has introduced Trade Receivable e-Discounting System (TReDS) which is a platform approved by the Reserve Bank of India specially for Micro, Small and Medium Enterprises (MSMEs) to ease and facilitate constraints faced by them in obtaining adequate working capital finance, particularly in terms of their ability to convert their trade receivables into liquid funds.

To facilitate the same, HPCL has been registered as Buyer with all four RBI recognized TReDS platform providers as below:

- Invoice Mart (A.TREDS Ltd)
  - M1 Exchange (Mynd Solutions)
  - RXIL (Receivables Exchange of India Ltd)
  - C2Treds
- 
- DTX (KredX Platform private Limited)

All MSME vendors with UDYAM REGISTRATION CERTIFICATE must mandatorily get themselves registered with any one or all of the aforesaid TReDS platforms to avail benefit of TReDS bill discounting facility. HPCL has also enabled TReDS discounting option in its Bill Tracking System (BTS) for ease of process during payments post PO placement.

I) All bidders were requested to submit all the declaration to be duly filled and signed as a part of Technical Evaluation. All the declarations are attached under BUYER UPLOADED ATC DOCUMENTS, in case of non submission of declaration bid will be liable for rejection.

### **K) STC for Inclusion of Insurance Surety Bond (ISB)**

Insurance Surety Bond issued from Insurance Regulatory and Development Authority of India (IRDAI) regulated Insurance Company only can be submitted towards EMD (Bid Security).

Insurance Surety Bond issued from Insurance Surety Bond from Insurance Regulatory and Development Authority of India (IRDAI) regulated Insurance Company only can be submitted against Performance Security or Composite Performance Security in lieu of Security Deposit and deduction of retention money. Bidders who wish to submit Insurance Surety Bond towards EMD, Performance Security or Composite Performance Security in lieu of Security Deposit and deduction of retention money, are required to send original copy of ISB in prescribed format along with following details:

- i. The issuing Insurance Co, with Branch detail
- ii. Relationship manager of Insurance Company
- iii. Contact details along with email ID for verification

Insurance Surety Bond should be issued in Prescribed format only. Insurance Surety Bond submitted otherwise in Prescribed Format is liable to be rejected.

**General Terms and Conditions applicable to this tender shall be as per GeM GTC. However, for any specific requirement not available in GeM GTC, HPCL GTC for Supply will be applicable.**

## **7. Buyer Added Bid Specific ATC**

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

## **अस्वीकरण/Disclaimer**

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization, whereby Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity / restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and / or terms and conditions governing the bid. If any clause(s) is / are incorporated by the Buyer regarding following, the bid and resultant contracts shall be treated as null and void and such bids may be cancelled by GeM at any stage of bidding process without any notice:-

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process. (However, in bids for [attached categories](#), trials are allowed as per approved procurement policy of the buyer nodal Ministries)
9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.
15. Buyer added ATC Clauses which are in contravention of clauses defined by buyer in system generated bid template as indicated above in the Bid Details section, EMD Detail, ePBG Detail and MII and MSE Purchase Preference sections of the bid, unless otherwise allowed by GeM GTC.
16. In a category based bid, adding additional items, through buyer added additional scope of work/ additional terms and conditions/or any other document. If buyer needs more items along with the main item, the same must be added through bunching category based items or by bunching custom catalogs or bunching a BoQ with the main category based item, the same must not be done through ATC or Scope of Work.

Further, if any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations.

**All GeM Sellers/Service Providers shall ensure full compliance with all applicable labour laws, including the provisions, rules, schemes and guidelines under the four Labour Codes i.e. the Code on Wages, 2019; the Industrial Relations Code, 2020; the Occupational Safety, Health and Working Conditions Code, 2020; and the Code on Social Security, 2020 as and when notified and brought into force by the Government of India.**

**For all provisions of the Labour Codes that are pending operationalisation through rules, schemes or notifications, the corresponding provisions of the pre-existing labour enactments (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. and relevant State Rules) shall continue to remain applicable.**

**The Seller/ Service Providers shall, therefore, be responsible for ensuring compliance under:**

- **All notified and enforceable provisions of the new Labour Codes as mentioned hereinabove; and**
- **All operative provisions of the erstwhile Labour Laws until their complete substitution.**

**All obligations relating to wages, social security, safety, working conditions, industrial relations etc. and any other statutory requirements shall be strictly met by the Seller/ Service Provider. Any non-compliance shall constitute a breach of the contract and shall entitle the Buyer to take appropriate action in accordance with the contract and applicable law.**

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

जेम की सामान्य शर्तों के खंड 26 के संदर्भ में भारत के साथ भूमि सीमा साझा करने वाले देश के बिडर से खरीद पर प्रतिबंध के संबंध में भारत के साथ भूमि सीमा साझा करने वाले देश का कोई भी बिडर इस निविदा में बिड देने के लिए तभी पात्र होगा जब वह बिड देने वाला सक्षम प्राधिकारी के पास पंजीकृत हो। बिड में भाग लेते समय बिडर को इसका अनुपालन करना होगा और कोई भी गलत घोषणा किए जाने व इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्रवाई का आधार होगा।/In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

**---धन्यवाद/Thank You---**