

Bid Number: GEM/2022/B/2154214

Dated: 25-05-2022

## **Bid Document**

Rid Dataile			
Bid Details			
Bid End Date/Time	24-06-2022 17:00:00		
Bid Opening Date/Time	24-06-2022 17:30:00		
Bid Offer Validity (From End Date)	80 (Days)		
Ministry/State Name	Ministry Of Law And Justice		
Department Name	Department Of Justice		
Organisation Name	High Court Of Andhra Pradesh		
Office Name	Amaravati		
Total Quantity	1878		
Item Category	smart phones		
BOQ Title	NSTEP		
OEM Average Turnover (Last 3 Years)	100 Lakh (s)		
Years of Past Experience Required for same/similar service	3 Year (s)		
Same/Similar Service			
MSE Exemption for Years Of Experience	Yes		
<u> </u>	Yes No		
MSE Exemption for Years Of Experience Startup Exemption for Years of Experience			
MSE Exemption for Years Of Experience Startup Exemption for Years of Experience and Turnover	Experience Criteria, Past Performance, Bidder Turnover, Certificate (Requested in ATC), OEM Authorization Certificate, OEM Annual Turnover, 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		
MSE Exemption for Years Of Experience Startup Exemption for Years of Experience and Turnover  Document required from seller	Experience Criteria, Past Performance, Bidder Turnover, Certificate (Requested in ATC), OEM Authorization Certificate, OEM Annual Turnover, 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		
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MSE Exemption for Years Of Experience Startup Exemption for Years of Experience and Turnover  Document required from seller  Past Performance Bid to RA enabled	Experience Criteria, Past Performance, Bidder Turnover, Certificate (Requested in ATC), OEM Authorization Certificate, OEM Annual Turnover, 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  80 %  Yes		

# **EMD Detail**

Advisory Bank	State Bank of India	
EMD Percentage(%)	0.50	
EMD Amount	112680	

#### ePBG Detail

Advisory Bank	State Bank of India	
ePBG Percentage(%)	1.00	
Duration of ePBG required (Months).	12	

- (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.
- (b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

#### **Beneficiary:**

Joint Registrar

Amaravati, Department of Justice, High Court of Andhra Pradesh, Ministry of Law and Justice (Pulipaka Venkata Ramana)

### **Splitting**

Bid splitting not applied.

#### Reserved for Make In India products

Reserved for Make In India products	Yes
Reserved for MSE	

- 1. If the bidder is a Micro or Small Enterprise as per latest definitions under MSME rules, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria". If the bidder is OEM of the offered products, it would also be exempted from the "OEM Average Turnover" criteria. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.
- 2. Experience Criteria: In respect of the filter applied for experience criteria, the Bidder or its OEM {themselves or through reseller(s)} should have regularly, manufactured and supplied same or similar Category Products to any Central / State Govt Organization / PSU / Public Listed Company for number of Financial years as indicated above in the bid document before the bid opening date. Copies of relevant contracts 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. OEM Turn Over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated 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 OEM 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.
- 4. Bid reserved for Make In India products: : Procurement under this bid is reserved for purchase from 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. However, eligible micro and small enterprises will be allowed to participate. The minimum local content to qualify as a class 1 local supplier is denoted in the bid document. All bidders 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 the bid is liable to be rejected. 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 . In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.

- 5. Procurement under this bid is reserved for purchase from Micro and Small Enterprises whose credentials are validated online through Udyog Aadhaar for that product category. If the bidder wants to avail the reservation benefit, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. 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.
- 6. 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.
- 7. Past Performance: The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products for 80% 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 / Public Listed Company. 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.
- 8. Reverse Auction would be conducted amongst first 50% of the technically qualified bidders arranged in the order of prices from lowest to highest. Number of sellers eligible for participating in RA would be rounded off to next higher integer value if number of technically qualified bidders is odd (e.g. if 7 bids are technically qualified, then RA will be conducted amongst L-1 to L-4). In case number of technically qualified bidders are 2 or 3, RA will be between all without any elimination. If Buyer has chosen to split the bid amongst N sellers, then minimum N sellers would be taken to RA round. In case Primary products of only one OEM are left in contention for participation in RA based on lowest 50% bidders qualifying for RA, the number of sellers qualifying for RA would be increased to get at least products of one more OEM (directly participated or through its reseller) if available. Further, if bid(s) of any seller(s) eligible for MSE preference is / are coming within price band of 15% of Non MSE L-1 or if bid of any seller(s) eligible for Make in India preference is / are coming within price band of 20% of non MII L-1, then such MSE / Make in India seller shall also be allowed to participate in the RA process.

#### **Smart Phones**

(Minimum 50% and 25% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)

Brand Type	Unbranded
Technical Specifications	

Specification Document	<u>View File</u>
BOQ Detail Document	<u>View File</u>

Advisory-Please refer attached BOQ document for detailed consignee list and delivery period.

# **Consignees/Reporting Officer and Quantity**

S.No.	Consignee/Reporti ng Officer	Address	Quantity	Delivery Days
1	II PUIIDAKA VENKAIA 🔠	522237,High court of Judicature at ANDHRA PRADESH , AMARVATHI	1878	60

# **Buyer Added Bid Specific Terms and Conditions**

1. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

Bid Specific MAF to be provided

Universal Port - Type C / Micro USB

### HIGH COURT ANDHRA PRADESH AT AMARAVATI

## **Buyer Added Bid Specific Additional Terms and Conditions:**

- 1. Scope of supply (Bid price to include all cost components): Only supply of Goods.
- 2. OEM Turn over Criteria: The minimum average annual financial turnover of the OEM of the offered product during the last three years, ending on 31st March of the previous financial year, should be as indicated 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 OEM 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. In case of bunch bids, the OEM of CATEGORY RELATED TO primary product having highest bid value should meet this criterion.
- 3. Bidder Turn over Criteria: 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 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.

- 4. Equipment offered shall have complete DATA sheets and detailed description on OEM web sites.
- 5. IMPORTED PRODUCTS: In case of imported products, OEM or Authorized Seller of OEM should have a registered office in India to provide after sales service support in India. The certificate to this effect should be submitted.
- 6. The Equipment offered BY the OEM OR equipment of the same series/family FROM the same OEM should have been satisfactorily working IN Government/PSUs/Telecom Service Providers network for at least 06 months in India or Abroad. The certificates from the actual users will have to be submitted offline.
- 7. The OEM should have proven facilities for Training, repair and Service Center Support in India at least for past three years. In case OEM is located outside India, it should have training, repair and service center facilities in India also. The certificates/ Undertaking for the same will have to be submitted offline/online.
- 8. Availability of Service Centers: Bidder/OEM must have a Functional Service Centre(s) in the State of each Consignee's Location in case of carry-in warranty. (Not applicable in case of goods having on-site warranty). If service center is not already there at the time of bidding, successful bidder / OEM shall have to establish one within 30 days of award of contract. Payment shall be released only after submission of documentary evidence of having Functional Service Centre(s).
- 9. Availability of service Centers: Bidder /OEM must have Service Centre In the State of each Consignee's Location.
- 10. Dedicated /toll Free Telephone No. for Service Support: BIDDER/OEM must have Dedicated/toll Free Telephone No. for Service Support.
- 11. Escalation Matrix For Service Support: Bidder/OEM must provide Escalation Matrix of Telephone Numbers for Service Support.
- 12. Warranty period of the supplied products shall be 1 (ONE) years from the date of final acceptance of goods or after completion of installation,

commissioning & testing of goods (if included in the scope of supply), at consignee location. OEM Warranty certificates must be submitted by Successful Bidder at the time of delivery of Goods. The seller should guarantee the rectification of goods in case of any break down during the guarantee period. Seller should have well established Installation, Commissioning, Training, Troubleshooting and Maintenance Service group in INDIA for attending the after sales service. Details of 9 to 10 Service Centers near consignee destinations are to be uploaded along with the bid.

- 13. Replacement under warranty clause shall be made by the Seller free of all charges at site including freight, insurance and other incidental charges. During the warranty period, the Seller shall remain responsible to arrange replacement in next Business day (NBD) and for setting right at his own cost any equipment installed by him which is of defective manufacture or design or becomes unworkable due to any cause whatsoever. The decision of the Buyers representative in this regard to direct the contractor to attend to any damage or defect in work shall be final and binding on the Seller.
- 14. Bidder should be the Original Equipment Manufacturer. Letter of incorporation shall be submitted.
- 15. 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.
- 16. 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.
- 17. 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): Test certificates, MAF, BIS, ISO.
- 18. Arbitration:- If any dispute or difference of opinion arises between parties concerning the terms of agreement or either respective rights, responsibilities, or liabilities, then the parties shall meet and try to settle these amicably. If the parties fail to reach an amicable settlement within a reasonable time, the dispute, doubt or difference of opinion shall be referred to arbitration of a sole arbitrator to be nominated by the High Court of Andhra Pradesh. The decision of the arbitrator shall be conclusive, final and binding on both the parties. The jurisdiction of the Court will be in the State of Andhra Pradesh.

- 19. No alternative offer shall be considered.
- 20. HIGH COURT reserves the right to cancel/withdraw this invitation without assigning any reason(s) for such decision. Such decision will not incur liability whatsoever on the part of High Court consequently.
- 21. HIGH COURT reserves the right to accept/reject any bid and to cancel bidding process at any time and reject all bids, at any time prior to placement of order, without thereby incurring any liability.
- 22. Any clarification on the documents may be obtained from the Joint Registrar attached to Computer Section, High Court of Andhra Pradesh at the address given below during office hours:

The Joint Registrar, Computer Section

First floor, interim judicial complex,

High Court of Andhra Pradesh,

Nelapadu, Guntur District, Andhra Pradesh,

Ph.No.0863-2372727.

**Disclaimer** 

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization. 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 specification and / or terms and conditions governing the bid. Any clause incorporated by the Buyer such as demanding Tender Sample, incorporating any clause against the MSME policy and Preference to make in India Policy, mandating any Brand names or Foreign Certification, changing the default time period for Acceptance of material or payment timeline governed by OM of Department of Expenditure shall be null and void and would not be considered part of bid. Further any reference of conditions published on any external site or reference to external documents / clauses shall also be null and void. 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.

This Bid is also governed by the General Terms and Conditions

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.

---Thank You---