

**बिड दस्तावेज़ / Bid Document**

<b>बिड विवरण/Bid Details</b>	
बिड बंद होने की तारीख/समय /Bid End Date/Time	14-05-2026 10:00:00
बिड खुलने की तारीख/समय /Bid Opening Date/Time	14-05-2026 10:30:00
बिड पेशकश वैधता (बंद होने की तारीख से)/Bid Offer Validity (From End Date)	180 (Days)
मंत्रालय/राज्य का नाम/Ministry/State Name	Ministry Of Defence
विभाग का नाम/Department Name	Department Of Ex-servicemen Welfare
संगठन का नाम/Organisation Name	Ex-servicemen Contributory Health Scheme (echs)
कार्यालय का नाम/Office Name	*****
वस्तु श्रेणी /Item Category	Local Chemist Empanelment Service - Branded Medicines , Medicines; 90
अनुबंध अवधि /Contract Period	3 Year(s)
बिडर का न्यूनतम औसत वार्षिक टर्नओवर (3 वर्षों का) /Minimum Average Annual Turnover of the bidder (For 3 Years)	50 Lakh (s)
उन्हीं/समान सेवा के लिए अपेक्षित विगत अनुभव के वर्ष/Years of Past Experience Required for same/similar service	3 Year (s)
इसी तरह की सेवाओं का पिछला आवश्यक अनुभव है/Past Experience of Similar Services required	Yes
वर्षों के अनुभव एवं टर्नओवर से एमएसई को छूट प्राप्त है / MSE Relaxation for Years Of Experience and Turnover	Yes   Partial   Experience - 1 year (s)   Turn over value - 25 lakhs)
स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / Startup Relaxation for Years Of Experience and Turnover	Yes   Partial   Experience - 1 year (s)   Turn over value - 25 lakhs)
विक्रेता से मांगे गए दस्तावेज़/Document required from seller	Experience Criteria,Bidder Turnover,Certificate (Requested ATC),Additional Doc 1 (Requested in ATC) *In case any bidder is seeking exemption from Experience Turnover Criteria, the supporting documents to prove his e for exemption must be uploaded for evaluation by the buy
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?	Yes (Documents submitted as part of a clarification or representation during the tender/bid process will also be d to other participated bidders after log in)

<b>बिड विवरण/Bid Details</b>	
बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या। / <b>Minimum number of bids required to disable automatic bid extension</b>	1
दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / <b>Number of days for which Bid would be auto-extended</b>	5
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	No
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
अनुमानित बिड मूल्य / <b>Estimated Bid Value</b>	10080000
मूल्यांकन पद्धति/Evaluation Method	Total value wise evaluation
मध्यस्थता खंड/Arbitration Clause	No
सुलह खंड/Mediation Clause	No

#### ईएमडी विवरण/EMD Detail

आवश्यकता/Required	No
-------------------	----

#### ईपीबीजी विवरण /ePBG Detail

एडवाइजरी बैंक/Advisory Bank	State Bank of India
ईपीबीजी प्रतिशत (%) /ePBG Percentage(%)	5.00
ईपीबीजी की आवश्यक अवधि (माह) /Duration of ePBG required (Months).	2

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

#### लाभार्थी /Beneficiary :

STATION COMMANDER

Station HQ ECHS Cell Bareilly, Near Militray Hospital Gate, Department of Ex-Servicemen Welfare, Ex-Servicemen Co Health Scheme (ECHS), Ministry of Defence  
(Brig)

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

**एमआईआई अनुपालन/MII Compliance**

एमआईआई अनुपालन/MII Compliance	Yes
-------------------------------	-----

**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. If the bidder is a Micro or Small Enterprise as per latest orders issued by Ministry of MSME, the bidder shall be relaxed from the eligibility criteria of "Experience Criteria" as defined above subject to meeting of quality and technical specifications. The bidder seeking Relaxation from Experience Criteria, shall upload the supporting documents to prove his eligibility for Relaxation.
2. If the bidder is a Micro or Small Enterprise (MSE) as per latest orders issued by Ministry of MSME, the bidder shall be relaxed from the eligibility criteria of "Bidder Turnover" as defined above subject to meeting of quality and technical specifications. If the bidder itself is MSE OEM of the offered products, it would be relaxed from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. The bidder seeking Relaxation from Turnover, shall upload the supporting documents to prove his eligibility for Relaxation.
3. If the bidder is a DPIIT registered Startup, the bidder shall be relaxed from the the eligibility criteria of "Experience Criteria" as defined above subject to their meeting of quality and technical specifications. The bidder seeking Relaxation from Experience Criteria, shall upload the supporting documents to prove his eligibility for Relaxation.
4. If the bidder is a DPIIT registered Startup, the bidder shall be relaxed from the the eligibility criteria of "Bidder Turnover" as defined above subject to their meeting of quality and technical specifications. If the bidder is DPIIT Registered OEM of the offered products, it would be relaxed from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. The bidder seeking Relaxation from Turnover shall upload the supporting documents to prove his eligibility for Relaxation.
5. 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 average 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.
6. Years of Past Experience required: The bidder must have experience for number of years as indicated above in the bid document (ending month of March prior to the bid opening) of providing similar type of services to any Central / State Government Organization / PSU. Copies of relevant contracts / orders to be uploaded along with bid in support of having provided during each of the Financial year.
7. Purchase preference for Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs as defined in the Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail Purchase preference 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 service. If L-1 is not an MSE and the Service Provider (s) has/have quoted price within L-1+ 15% of margin of purchase preference /price band as defined in the relevant policy, then 100% order quantity will be awarded to such MSE bidder subject to acceptance of L1 bid price. Buyers are advised to refer to the [OM No.1 4 2021 PPD dated 18.05.2023](#) for compliance of Concurrent application of 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 the credentials of the service provider are validated on-line in GeM profile as validated and approved by the Buyer after evaluation of submitted documents.
8. 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

relevance or bearing on the price to be quoted by the bidders and is also not going to have any impact on bid partici Also this is not going to be used as a criteria in determining reasonableness of quoted prices which would be determ the buyer based on its own assessment of reasonableness and based on competitive prices received in Bid / RA proc 9. Past Experience of Similar Services: The bidder must have successfully executed/completed similar Services over three years i.e. the current financial year and the last three financial years(ending month of March prior to the bid of 1. Three similar completed services costing not less than the amount equal to 40% (forty percent) of the estimated c 2. Two similar completed services costing not less than the amount equal to 50% (fifty percent) of the estimated cos 3. One similar completed service costing not less than the amount equal to 80% (eighty percent) of the estimated cc 10. Short Duration Bid has been published by the Buyer with the approval of the Competent authority due to Emerge procurement of critical products/services.

**अतिरिक्त योग्यता /आवश्यक डेटा/Additional Qualification/Data Required**

**Scope of Work:**[1775716510.pdf](#)

**Payment Terms and Delivery Terms (Delivery Schedule):**[1775716513.pdf](#)

**Pre Bid Detail(s)**

मूल्य भिन्नता खंड दस्तावेज़/Pre-Bid Date and Time	प्री-बिड स्थान/Pre-Bid Venue
07-05-2026 10:00:00	ECHS POLYCLINIC BAREILLY, ROOM NO-14, NEAR MILITRAY HOPSITAL GATE, B.I.BAZAR, CANTT BAREILLY, U.P, PIN-243001, TELE-0581-2510512

**Local Chemist Empanelment Service - Branded Medicines , Generic Medicines; 90 ( 1008**

**तकनीकी विशिष्टियाँ /Technical Specifications**

विवरण/ Specification	मूल्य/ Values
<b>कोर / Core</b>	
Medicine Type	Branded Medicines , Generic Medicines
Distance from Buyer/Consignee Location	90
<b>एडऑन /Addon(s)</b>	

**क्रेता द्वारा निर्धारित न्यूनतम मूल्य/Minimum Floor Price defined by Buyer**

क्रेता द्वारा निर्धारित न्यूनतम मूल्य/Minimum Floor Price defined by Buyer	No
--	----

**अतिरिक्त विशिष्टि दस्तावेज़ /Additional Specification Documents**

**परेषिती/रिपोर्टिंग अधिकारी /Consignees/Reporting Officer and Quantity**

क्र.सं./S.No	प्रेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer	पता/Address	संसाधनों की मात्रा / Estimated Total Procurement Value without discount (INR) as per the Medicine type selected in the specification	अतिरिक्त आवश्यकता /Ad Requiremen
1	*****	*****Moradabad	10080000	N/A

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

### 1. Generic

OPTION CLAUSE: The buyer can increase or decrease the contract quantity or contract duration up to 25 per cent the time of issue of the contract. However, once the contract is issued, contract quantity or contract duration be increased up to 25 percent. Bidders are bound to accept the revised quantity or duration

### 2. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

### ELIGIBILITY

#### A. CRITERIA ESTABLISHING ELEGIBILITY OF BIDDERS AND DOCUMENTS TO BE UPLOADED ON GeM P PROOF THEREOF :-

It is mandatory to upload all the documents sought in support of eligibility criteria. In case a document, h  
en uploaded by the bidder, then an explanatory letter from the bidder stating the reason for not uploadin  
ument alongwith supporting relevant Govt, order (if applicable), is to be uploaded with the rest of the bid  
ts. The Station Commander will have the sole discretion to accept or reject the explanation by the bidder.

S No	ELIGIBILITY CRITERIA OF BID DERS	Document to be uploaded
------	-------------------------------------	-------------------------

1	<p><b>Online bids will be rejected if BID Securing Declaration is not uploaded</b></p>	<p><b>The bidder can opt for three of Polyclinics in ECHS. The BID Securing Declaration as per Annexure 'G' along with :-</b></p> <ul style="list-style-type: none"> <li><b>(i) Copy of cancelled cheque.</b></li> <li><b>(ii) Annexure 'A' No Claim Certificate for refund of Performance Security.</b></li> <li><b>(ii) Annexure 'B' (Tender Acceptance and Declaration of Intention to bid) which includes the undertaking to abide by the Code of Integrity) : by Authorized signatory, with details of Polyclinics and units bid for the bidder.</b></li> <li><b>(iii) Duly filled mandate form for ECS as per Annexure 'C' (Form of Performance Security of bidders) 4. Vender details form as per Annexure 'D'.</b></li> <li><b>(iv) Bid Security Declaration to be given on Company/Entity Head (Annexure-'E')</b></li> </ul> <p><b>A copy of all the above documents along should also be uploaded on GeM portal as part of bid document</b></p>
---	--	---

2	<p><b>Individual signing the Bid and other documents must specify whether s/he signs as :-</b></p> <p><b>(i) A sole proprietor of the firm or constituted attorney of such proprietor.</b></p> <p><b>(ii) A partner of the firm, if it is a partnership firm and, in this case, he must have a clear legal authority to sign, answer and admit to refer disputes to arbitration.</b></p> <p><b>(iii) Constituted Attorney /Authorized Signatory, if it is company.</b></p>	<p><b>1. In case of proprietor an affidavit to the effect that he is proprietor/power of attorney by the proprietor in favour of the person signing the bid if such a power has been conferred upon the person/government issued document such as GST Registration showing the person's Proprietorship.</b></p> <p><b>2. In case of (ii) a copy of the Partnership Deed, General Power of Attorney, duly attested by a notary public and an affidavit to the effect that all the partners admit execution of the partnership and the Power of Attorney by uploaded.</b></p> <p><b>3. In case of partnership firm, where no authority to refer disputes concerning the business or the partnership has been conferred upon such partner, the Bid and all other related documents must be signed by every partner of the firm.</b></p> <p><b>4. In case of Company, Memorandum of association and Resolution specifying the Constituted Attorney/ Authorized Signatory must be attached.</b></p>
---	--	--

3.	<p>The chemist shop should be registered in the city under Shops and Establishment Act/ Indian Copy of the following documents are required to be uploaded on GeM portal: 5 Partnership Act 1932/ Companies Act 1956 and should be in existence continuously for at least last two financial years i.e Shop should have come into existence on 01/04/2023 or earlier.</p>	<p>Copy of the following documents need to be uploaded on the GeM</p> <p>(a) Registration certificate issued by concerned state under Shops and Establishment Act or any Govt issued document such as GST registration showing the entity as a proprietorship/ Indian Partnership Act/ Companies Act 1956 with name and complete postal address of the shop located in city.</p> <p>(b) The relevant ownership deeds alongwith full details of ownership and control of each member thereof. E.g. Proprietorship/ Partnership Deed/ Memorandum of Articles of Association for company.</p> <p>(c) Copy of Drug License issued by concerned state, as proof of existence of shop on 01/04/2023 or earlier. In case of a chemist who has Drug License for retail issued on or before 01.04.2023 for a particular location Moradabad/Bareilly, but has shifted to a new location _____ at _____ on 01/04/2022, the clause of continuous existence since 01/04/2022 or earlier shall all be considered only if the newly issued Drug License bears the condition that this is in continuation of the earlier Drug License.</p>
4	<p>The bidder must understand and agree to the terms and conditions of "Scope of work" document</p>	<p>Scanned copy of "Tender Acceptance and Declaration of Bidder" Annexure 'B' duly signed by the authorized signatory should be uploaded. Name of bidder, complete postal address, telephone and mobile number, fax and e-mail should be mentioned in Annexure 'B'</p>

5	<p>Annual turnover of the bidder should not be less than Rs. 50 lakhs (Rupees Fifty Lakhs) in Class X city, not less than 30 Lakhs in class Y city and not less than Rs. 15 Lakhs in class Z city in the financial year 2020-21 (Assessment year 2021-22). Chemicals Commercial Establishments having multiple outlets and whose turnover is clubbed for accounting purposes will be allowed to participate in the tender. Their turnover will be taken as combined for all the outlets and not shop/ retail outlet wise</p>	<p>(a) The bidder has to submit an Audited Balance Sheet with Profit and Loss statement in Form 3CA/3CB and 3CD of the financial year 2023 (Assessment Year 2024 to 2025) in support thereof, in case annual turnover is Rs. 1 Cr and above.</p> <p>(b) For annual turnover less than Rs. 1 Cr and up to 50 Lakhs, the Audited Balance Sheet shall suffice for financial year 2022-23 (Assessment Year 2023-24).</p> <p>(c) Turnover certificate from chartered accountant in addition to the Audited Balance Sheet/Audited Profit and Loss Statement should be uploaded by bidder to substantiate the bidder's turnover.</p> <p>(d) MSEs participating in the GeM bid, shall not be a relaxation as regards annual turnover.</p>
---	--	---

<p>6.</p>	<p>The chemist must hold a valid license issued by Drug Controller Authority of State under where the chemist shop is located for running the chemist shop. The successful Bidder will further ensure that their Licenses remain valid till the end of the contract period.</p>	<p>(a) Drug License issued by Drug Controller of concerned state Form 20 &amp; 21 Or 21-C (for continuance of retail i.e Form 20 and 21 required), under the Provisions of Drugs and Cosmetics Act 1940 and subsequent amendments, valid as on the date of submission of Bid and till the date of Bid opening.</p> <p>(b) In case the bidder has applied for renewal of his Drug License application should be at least within last 1 month of expiry of his License(s), copy of receipt of Renewal application with state Drug License Authority needs to be uploaded.</p>
-----------	---	---

7	<p>The chemist must not have been convicted by the State drugs authorities. No case should be pending under the Drugs and Cosmetics Act and Rules against him.</p>	<p>(a) Non-conviction Certificate from the State Drug Controller or other officer delegated the powers by it to sign the Drug License Non-Conviction Certificate. No other document including an affidavit or undertaking will be considered for this purpose.</p> <p>(b) In case the bidder is not able to provide the Non-Conviction Certificate at the time of last date of bid submission, then he may upload a copy of application for Non conviction Certificate along with stamp of its receipt at Drug Controller's Office. ECHS shall seek the Non-Conviction Certificate dated after last date of bid submission, through "seek clarification" option, only from such bidders who have submitted proof (as mentioned above) of having applied for a Non-conviction Certificate. It would then be mandatory for such bidders to provide the Non-Conviction Certificate through "Seek clarification" option. With the provision of the above case, any non conviction certificate sought through "seek clarification" option, has to be dated prior to original last date of bid submission.</p> <p>(c) The Non-Conviction Certificate should be dated not more than 3 months prior to date of publishing of bid.</p> <p>(d) Undertaking in Annexure 'C' as a notarized affidavit is mandatory to be uploaded.</p>
8	<p>The bidder should be regularly paying his GST</p>	<p>Copy of GST Returns of the latest quarter (April 2024 to June 2024) should be uploaded by the bidder, except where exemptions are given under the GST Act. The aggregate turnover must be mentioned in the Turnover Certificate issued by Chartered Accountant.</p>
9	<p>The bidder should have Goods and Services Tax Identification Number (GSTIN)</p>	<p>Copy of GSTIN Registration having 15-digit alphanumeric GSTIN Registration Number/provisionally issued GSTIN is to be uploaded.</p>

10	The bidder should be regularly filing his Income Tax	Copy of PAN card b) Copy of ITR of the bidder of financial year 2023) (Assessment year 2023 to 2024)
11	The bidder should not be currently debarred by any Government organization or by ECHS. The Supplier's contract should not have been terminated by ECHS in the last three years.	<p>An affidavit in Annexure C on non judicial stamp paper should be submitted by the bidder stating that:</p> <p>(a) The supplier is not currently debarred under orders issued by ECHS and/or debarred under orders issued by Department of Expenditure, Ministry of Finance which covers all central ministries/departments.</p> <p>(b) The supplier was not empanelled earlier by ECHS and was not empanelled earlier, then the supplier's contract was not terminated by ECHS in the preceding three years.</p>
12	Escalation Matrix or Dedicated line/Toll Free number	The bidder should provide Escalation Matrix or Dedicated/ Toll free number for service support.

**B. All documents should be submitted online only.**

**C.** It shall be ensured by the bidder that he continue to be eligible for all the eligibility criteria mentioned above throughout the tender process. He shall also ensure that he complies with the eligibility criteria during the contract period in which he is empanelled as Authorized Local Chemist under ECHS. If at any stage during the tender process or during the contract period, if any eligibility criterion is contravened, the bidder shall be declared ineligible and his bid rejected/contract terminated.

**D.** It shall be ensured by the bidder that he continues to be eligible for all the eligibility criteria mentioned above throughout the tender process. He shall also ensure that he complies with the eligibility criteria during the contract period in which he is empanelled as Authorized Local Chemist under ECHS. If at any stage during the tender process or during the contract period, if any eligibility criterion is contravened, the bidder

shall be declared ineligible and his bid rejected/contract terminated.

**E. BIDDING PROCEDURE AND SUBMISSION OF BIDS**

The bidder must submit his e-bid in two parts on the GeM portal as mentioned below :-

**Part 1 :- Called "Technical Bid" containing :-**

**(1) Documents establishing Bidder's eligibility (Technical Bid) : All documents as mentioned in the table given above under the heading : "CRITERIA ESTABLISHING ELIGIBILITY OF BIDDERS AND DOCUMENTS TO BE UPLOADED IN PROOF THEREOF" are to be scanned and uploaded as clear legible pdf documents.** It is mandatory to upload all the documents – only bids complete in all respects will be considered.

**(2) INSPECTION OF BIDDERS PREMISES** If the Technical Bid on the basis of the documents mentioned in this section appears to be in fulfillment of eligibility, the premises of bidders will be inspected by a team led by an officer not below the rank of CMO(SAG)/(NFSG) for :-

- (a) Physical verification of location of the shop within the limits of \_\_\_\_\_.
- (b) Verification of original documents of those uploaded earlier during the bid.
- (c) Availability of proper cold-chain maintenance facilities, and power backup systems. d) Presence of tlet.
- (d) Assess availability of adequate stock of medicines and financial viability etc before opening the Cor I Bid.
- (e) Availability of computer and peripherals with internet connectivity to access indent on-line.
- (f) Confirm the availability of Bar Code Scanning and labeling facility including Bar Code Reader and Le ker and Software in the bidders' premises.

**In case the team is not satisfied with the veracity of the claims of the bidder, he will be declared le for participation in the further processes.**

**A single technical evaluation report shall be uploaded on the GeM portal, combin report of technical evaluation of bid documents followed by inspection of bidder premises. Comm d of only those bidders will be opened, who qualify after technical evaluation of documents as well a ction of chemist shop.**

**(3)** Department of Expenditure, Ministry of Finance vide its Office Memorandum no, F.12/17/2019 ted 06/02/2020 on the subject "Predatory Pricing/ Abnormally Low Bids Reg" has defined "Abnormally low bid" as on ch the bid price, in combination with other elements of the bid, appears so low that it raises material concerns e capability of the bidder to perform the contract at the offered price. (In case of discount % "predatory pricing" amc quoting exceptionally high discount). On opening of financial bids, if it is found that a bidder has bid for large numt HS Polyclinic, has quoted abnormally high discount making him the H1 and does not appear to have the financial ty to successfully execute the contract (turnover of bidder abnormally low as compared to average annual expendi he ECHS Polyclinic(s) where he has become H1), then as per provisions under the OM mentioned above, the St mmander shall seek through online portal (under "seek clarification" option):

- (i) 20% of the total PBG value from the bidder, to be submitted as Demand Draft to the concerned within 48 hours, to prove his financial capability. A scanned copy of DD shall also be uploaded on the online portal (Ge
- (ii) Detailed price analysis with respect to the annual turnover, the number of ECHS Polyclinic bid for discount quoted.
- (iii) Allocation of risks and responsibilities.

In case the bidder is unable to fulfill either one or all or in any combination (i), (ii) and (iii) above, he shall t ed online as H1 and no offer shall be made to him. In such a case, the rejected bidder shall cease to be H1 and the nex t discount offering bidder becomes H1. (i), (ii) and (iii) above shall be sought in turn from all H1 bidders suspected by di ave resorted to "predatory pricing" as explained above.

## **Part 2:- Called "Commercial Bid" or "Price Bid":-**

The bidder will fill a **SINGLE DISCOUNT as the uniform discount offered (as a percentage) on MRP on bids for Polyclinic in Moradabad** opted by Him as per Annexure C. Price bids of only those bidders will be open to qualify technically. Bidders quoting different discounts for different ECHS Polyclinic, in different zones/HQ/MSD will be disqualified.

**NB: Bids quoting less than 15% discount on MRP (inclusive of all taxes) shall not be considered. Bids quoting less than 5% discount on MRP (inclusive of all taxes) shall not be considered, for ECHS Polyclinic located in North eastern states and Jammu and Kashmir. Also bids quoting less than 12% discount on MRP (inclusive of all taxes) shall not be considered in remote or difficult areas (this are places remotely and have instances of recurrent tender failures (02 or more attempts) and hence difficulty in empanelling ALCs).**

In compliance with OM no. 5/2(2)/2021-E/P & G/Policy dated 02.07.2021, MSE purchase preference cannot be given to Public Procurement Policy for Micro and Small Enterprises (MSEs), 2012 cannot be given to wholesale and retail bidders with NIC codes 45, 46 and 47.

### **1. PRICING:-**

For Polyclinic in ECHS **Moradabad**, chosen to be bid for, by the bidder, he should quote single uniform discount percentage terms on the Maximum Retail Price(MRP) (inclusive of all taxes) printed on the strip/ Bottle/ unit pack and shall remain firm and fixed for the entire duration of the contract, for all the Polyclinic for which the bidder is opted as H1. No other charges including service/ delivery charges shall be quoted/claimed by the ALC. **Bids quoting less than 15% discount on MRP (inclusive of all taxes) shall not be considered. Bids quoting less than 5% discount on MRP (inclusive of all taxes) shall not be considered, for ECHS Polyclinic located in North eastern states and Jammu and Kashmir. Also bids quoting less than 12% discount on MRP (inclusive of all taxes) shall not be considered in remote or difficult areas (this are places remotely and have instances of recurrent tender failures (02 or more attempts) and hence difficulty in empanelling ALCs).**

### **2. SUBMISSION OF BIDS**

**6.1 The bids complete in all respects will be submitted by the bidders online only at the portal before the last date and time of bid submission.**

6.2 Bids NOT submitted as per the specified format and nomenclature will be out rightly rejected. Conditional bid will be out rightly rejected.

No bid document to establish eligibility as mentioned above will be accepted in physical form and no precedence in this regard will be entertained by ECHS. The Station Commander however reserves the right to seek clarification and/ or additional information through GeM portal, in the form of historical shortfall documents prepared at the time of tender opening and have not undergone any change since then (as per Manual of procurement procedures 2022, Chapter 7, Clause 7.3.5), from the bidder during technical evaluation.

The bidder cannot opt for any number of Polyclinic.

Suppression of factual information if found subsequently will disqualify the bidder.

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

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

## **अस्वीकरण/Disclaimer**

The Additional Terms and Conditions (ATC) have been incorporated by the Buyer after approval of their Competent Authority. The Buyer is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any restriction arising in the bidding process due to these ATCs and including the modification of terms

specifications and / or terms and conditions governing the bid. All representations / grievances pertaining to the ATC shall be raised with the buyer organization directly and not with GeM. If any of the clause(s) is/are incorporated by the bidder regarding the following, the bid & resultant contract shall be treated as null & void. Further, GeM reserves the right, at its sole discretion, to cancel the bid forthwith, without issuance of any prior notice or intimation :-

1. Publishing Custom / BOQ bids for items for which regular GeM categories are available (unless such Custom / item is bunched with the major regular product Category Item).
2. Mandating procurement of / from specific Brand / Make / Model / Manufacturer / Dealer except in case of Single Proprietary Article Certificate (PAC) Buying.
3. Inclusion of disqualification criteria related to suspension of seller / service provider, where such suspension period has already expired.
4. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
5. Publishing bids on GeM for procurement of works.
6. Procurement of Goods by creating a Service bid on GeM & vice-versa.
7. Seeking sample with bid or approval of samples during bid evaluation process. However, trial / sample, as the case may be, shall be permitted in cases where trial / sample are allowed as per approved and published procurement policy of the Buyers' controlling Ministry / Department / State / Public Sector Enterprises Headquarters. If there is a violation of trial / sample clause with regard to approved policy of the Buyers' Ministry / Department / State / Sector Enterprises Headquarters, then this is to be determined and redressed by the concerned Buyer Organization only.
8. Seeking experience from specific organization / department / institute only or from foreign / export experience.
9. Creating bid for items from incorrect categories.
10. Reference of conditions published on any external site or reference to external documents/clauses.
11. Asking for any Tender fee / Bid Participation fee, as the case may be.
12. Buyer added ATC Clauses which are in contravention of clauses defined in bid detail section, including specific EMD Detail, ePBG Detail and MII and MSE Purchase Preference sections of the bid, unless otherwise allowed by applicable GeM GTC.
13. Any ATC clause in contravention with GeM GTC Clause 4 (xiii) (h) will be invalid. In case of multiple L1 bidders for a service bid, the buyer shall place the Contract by selection of a bidder amongst the L-1 bidders through a Random Algorithm executed by GeM system.
14. 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 catalogues 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, he can raise their representation against the same by using the Representation window provided in the bid details field on the dashboard after logging in as a seller. 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 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 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.**

**This Bid is governed by the General Terms and Conditions, conditions stipulated in Bid and Service Level Agreement specific to the Service, as the case may be, as provided in the Marketplace.**

**However, in case of Service, if any condition specified in General Terms and Conditions is contradicted conditions stipulated in Service Level Agreement specific to said Service, then it will over-ride the cond the General Terms and Conditions.**

This Bid is governed by the [सामान्य नियम और शर्तें/General Terms and Conditions](#), conditions stipulated in Bid a [Service Level Agreement](#) specific to this Service as provided in the Marketplace. However in case if any condition sp सामान्य नियम और शर्तें/General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agre then it will over ride the conditions in 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 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 प्राधिव 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 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 proct 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 bidde 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 termination of the contract and further legal action in accordance with the laws.

**---धन्यवाद/Thank You---**