

**बिड दस्तावेज़ / Bid Document**

<b>बिड विवरण / Bid Details</b>	
<b>बिड बंद होने की तारीख/समय / Bid End Date/Time</b>	31-03-2026 10:00:00
<b>बिड खुलने की तारीख/समय / Bid Opening Date/Time</b>	31-03-2026 10:30:00
<b>बिड पेशकश वैधता (बंद होने की तारीख से) / Bid Offer Validity (From End Date)</b>	180 (Days)
<b>मंत्रालय/राज्य का नाम / Ministry/State Name</b>	Ministry Of Mines
<b>विभाग का नाम / Department Name</b>	Materials
<b>संगठन का नाम / Organisation Name</b>	National Aluminium Company Limited, Bhubaneswar
<b>कार्यालय का नाम / Office Name</b>	Materials
<b>कुल मात्रा / Total Quantity</b>	1
<b>वस्तु श्रेणी / Item Category</b>	MULTI BUCKET TRUCK
<b>GeMARPTS में खोजी गई स्ट्रिंग्स / Searched Strings used in GeMARPTS</b>	MULTI BUCKET TRUCK
<b>GeMARPTS में खोजा गया परिणाम / Searched Result generated in GeMARPTS</b>	Kick Bucket (V2), Foot Operated Pedal Bin or Bucket for Bio - Medical Waste Collection, Stainless Steel Bucket (V3) conforming to IS 4768, HDPE Bucket (V2) Conforming to IS 3730, Bucket Mop Wringer Trolley, Stainless Steel Bucket (Defence), Pallet Truck (V3), Industrial Platform Truck, PVC Insulated Copper Cable Single Core and Multi Core Circular Sheathed with Rigid Conductor (V2) ISI Marked To IS 694, Mobile Truck Crane
<b>अधिसूचना के लिए चयनित प्रासंगिक श्रेणियाँ / Relevant Categories selected for notification</b>	<ul style="list-style-type: none"> <li>• Pallet Truck (V2)</li> </ul>
<b>एमएसएमई के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / MSE Relaxation for Years of Experience and Turnover</b>	No
<b>स्टार्टअप के लिए अनुभव के वर्षों और टर्नओवर से छूट प्रदान की गई है / Startup Relaxation for Years of Experience and Turnover</b>	No
<b>विक्रेता से मांगे गए दस्तावेज़ / Document required from seller</b>	Certificate (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

बिड विवरण/Bid Details	
क्या आप निविदाकारों द्वारा अपलोड किए गए दस्तावेजों 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 displayed to other participated bidders after log in)
बिड लगाने की समय सीमा स्वतः नहीं बढ़ाने के लिए आवश्यक बिड की संख्या। / Minimum number of bids required to disable automatic bid extension	3
दिनों की संख्या, जिनके लिए बिड लगाने की समय-सीमा बढ़ाई जाएगी। / Number of days for which Bid would be auto-extended	7
ऑटो एक्सटेंशन अधिकतम कितनी बार किया जाना है। / Number of Auto Extension count	2
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	7 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	Yes ( <a href="#">Arbitration clause document</a> ) as per DoE OM No.F.1/2/2024-PPD dated 03.06.2024 Arbitration should not be routinely included in contracts
सुलह खंड/Mediation Clause	Yes ( <a href="#">Mediation clause document</a> ) as per DoE OM No.F.1/2/2024-PPD dated 03.06.2024 mediation clause should not be routinely included in contracts and pre-litigation mediation can be taken up without any such clause also

#### ईएमडी विवरण/EMD Detail

एडवाइजरी बैंक/Advisory Bank	State Bank of India
ईएमडी राशि/EMD Amount	40000

#### ईपीबीजी विवरण /ePBG Detail

आवश्यकता/Required	No
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(a). जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित केटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज़ 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 :**

GM(FIN)  
National Aluminium Company Limited, Smelter, Angul  
(National Aluminium Co.ltd.)

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

**एमआईआई खरीद वरीयता / MII Purchase Preference**

एमआईआई खरीद वरीयता / MII Purchase Preference	Yes
मेक इन इंडिया विक्रेताओं को खरीद में प्राथमिकता, यदि उनका मूल्य L1+X% तक की सीमा में है / Purchase Preference to MII sellers available upto price within L1+X%	20
मेक इन इंडिया खरीद में प्राथमिकता के लिए बिड की मात्रा का अधिकतम प्रतिशत / Maximum Percentage of Bid quantity for MII purchase preference	50
सार्वजनिक खरीद (मेक-इन-इंडिया को प्राथमिकता) आदेश 2017 के अनुसार केवल क्लास 1/क्लास 2 के स्थानीय आपूर्तिकर्ताओं को ही भागीदारी की अनुमति है दिनांक 16.09.2020 (समय-समय पर संशोधित एवं लागू) / Allow participation only from Class 1/Class 2 local suppliers as per the Public procurement(Preference to Make-in-india) order 2017 date 16.09.2020(as amended and applicable time to time)	Yes, in compliance with the MII ORDER : DPIIT Order(as amended and applicable time to time)

**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	25

1. 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.

2. 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.

### **MULTI BUCKET TRUCK ( 1 pieces )**

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

#### **तकनीकी विशिष्टियाँ /Technical Specifications**

क्रेता विशिष्टि दस्तावेज़ /Buyer Specification Document	<a href="#">Download</a>
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#### **परेषिती/रिपोर्टिंग अधिकारी तथा मात्रा/Consignees/Reporting Officer and Quantity**

क्र.सं./S.No.	परेषिती/रिपोर्टिंग अधिकारी /Consignee Reporting/Officer	पता/Address	मात्रा /Quantity	डिलीवरी के दिन/Delivery Days
1	SUBHENDU MISHRA	759145,PURCHASE DEPARTMENT, NALCO SMELTER PLANT, NALCO NAGAR	1	120

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

### 1. **Generic**

Bidders are advised to check applicable GST on their own before quoting. Buyer will not take any responsibility in this regards. GST reimbursement will be as per actuals or as per applicable rates (whichever is lower), subject to the maximum of quoted GST %.

### 2. **Generic**

Buyer Organization specific Integrity Pact shall have to be complied by all bidders. Bidders shall have to upload scanned copy of signed integrity pact as per Buyer organizations policy along with bid. [Click here to view the file](#)

### 3. **Scope of Supply**

Scope of supply (Bid price to include all cost components) : Only supply of Goods

### 4. **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.

### 5. **Forms of EMD and PBG**

Bidders can also submit the EMD with Account Payee Demand Draft in favour of

National Aluminium Co. Ltd.  
payable at  
ANGUL

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

### 6. **Forms of EMD and PBG**

Bidders can also submit the EMD with Fixed Deposit Receipt made out or pledged in the name of A/C

NALCO

. The bank should certify on it that the deposit can be withdrawn only on the demand or with the sanction of the pledgee. For release of EMD, the FDR will be released in the favour of the bidder by the Buyer after making endorsement on the back of the FDR duly signed and stamped along with covering letter. Bidder has to upload scanned copy/ proof of the FDR along with bid and has to ensure delivery of hardcopy to the Buyer within 5 days of Bid End date/ Bid Opening date

### 7. **Forms of EMD and PBG**

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

National Aluminium Co. Ltd.  
payable at  
ANGUL

. 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.

### 8. **Forms of EMD and PBG**

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

National Aluminium Co. Ltd.

Account No.  
10657908114  
IFSC Code  
SBIN0008279  
Bank Name  
SBI  
Branch address  
KANDSAR

. 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.

#### 9. **Forms of EMD and PBG**

Successful Bidder can submit the Performance Security in the form of Account Payee Demand Draft also (besides PBG which is allowed as per GeM GTC). DD should be made in favour of

National Aluminium Co. Ltd.  
payable at  
ANGUL

. After award of contract, Successful Bidder can upload scanned copy of the DD in place of PBG and has to ensure delivery of hard copy to the original DD to the Buyer within 15 days of award of contract.

#### 10. **Forms of EMD and PBG**

Successful Bidder can submit the Performance Security in the form of Payment online through RTGS / internet banking also (besides PBG which is allowed as per GeM GTC). On-line payment shall be in Beneficiary name

National Aluminium Co. Ltd.  
Account No.  
10657908114  
IFSC Code  
SBIN0008279  
Bank Name  
SBI  
Branch address  
KANDSAR

. Successful Bidder to indicate Contract number and name of Seller 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 in place of PBG within 15 days of award of contract.

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

Buyer Added text based ATC clauses

### **SECTION-A**

#### **1. PAYMENT TERM-**

90% supply payment along with 100% GST after receipt of MBT at our main store with final acceptance and registration of the vehicle and balance 10% payment after successful commissioning of the MBT at our site.

#### **2. GUARANTEE/WARRANTY & TEST CERTIFICATES**

The party shall submit a guarantee certificate against defective design, faulty materials of construction, poor workmanship, and unsatisfactory/ premature failure of any major components, performance for a period of 24 months or 4000 working hours from date of commissioning whichever is earlier.

- if any defect occurs during the guarantee period, the vendor shall make all necessary alteration, repair/replacement free of cost at Nalco smelter plant premises only.

### **3. DELIVERY SCHEDULE:-**

Delivery term: 4 months after po placement.

**4. Integrity pact** attached with the document must be submitted in a **plain paper duly signed by the concerned authority.**

### **5. EARNEST MONEY DEPOSIT (EMD):**

Tenderers are required to submit interest free EMD of value **as mentioned in the bid document.**

**I) Acceptable modes of EMD:** EMD may be accepted in the following forms:

- A) Bank guarantee (including e-bank guarantee) from banks acceptable to Nalco as per format of Nalco, valid for 45 days beyond the required validity of bid.
- B) In the form of TT remittance/ online transfer - NEFT, RTGS, SWIFT.
- C) Account payee demand draft, fixed deposit receipt, banker's cheque, etc. From a commercial bank

The proof of such transfer/ transaction needs to be submitted with the offer. However, EMD will not be accepted in cash.

**II) Exemption from submission of EMD:** All EMD exemption criteria mentioned in GeM GTC shall be applicable in this tender.

**III) Execution and application of EMD:** the EMD will be returned to all unsuccessful bidders within 15 working days after finalization of the order. However, in case of two packet or two stage bidding, Bid securities of unsuccessful bidders during first stage i.e. technical evaluation should be returned within 15 days of declaration of result of first stage itself i.e. technical evaluation.

The EMD of the successful bidder will be returned after they accept the order, submit contract cum performance bank guarantee (CPBG)/security deposit (SD) and bank confirmation of the SD/CPBG thereafter as the case may be.

In case where submission of SD/CPBG is not a condition of tender, EMD of successful bidder will be released after successful execution of the order.

In case where submission of SD /CPBG is a condition of purchase order and if the successful bidder accepts the order but fails to submit the contract cum performance bank guarantee (CPBG)/security deposit (SD), the EMD shall be retained. In such cases the differential amount towards contract cum performance bank guarantee (CPBG)/security deposit (SD) and EMD may be deducted from the bills of vendor which may be released after receipt of contract cum performance bank guarantee (CPBG)/security deposit (SD).

In the event of non-execution of order, the EMD shall stand forfeited. Other conditions of forfeiture is mentioned in GeM GTC.

### **6. CONTRACT CUM PERFORMANCE BANK GUARANTEE (CPBG)**

Successful vendor shall submit a contract cum performance bank guarantee in Nalco's prescribed format drawn from any of the list of banks to be intimated by Nalco for **5% of contract value (excluding taxes) including amendment from any bank approved by Nalco and as per Nalco's format (annexures attached in buyer uploaded ATC) towards successful execution of the contract and performance guarantee obligation of the equipment/ system**, which will be valid up to 60(sixty) days beyond the warranty/guarantee period to cover the warranty/guarantee. **CPBG must be submitted within 15 days of**

### award of contract on GeM.

If the vendor fails to submit CPBG after placement of order, the equivalent amount shall be deducted from the bill(s) of the vendor which may be released after receipt of CPBG. Subject to any deduction which Nalco is authorized to make contract cum performance bank guarantee shall be released after satisfactory execution of the contract. On the breach of the contract by the supplier, contract cum performance bank guarantee shall be forfeited/ encashed whether or not the company has suffered a loss on this account and purchase order will be rescinded. Forfeiture/encashment of contract cum performance bank guarantee does not prejudice Nalco's rights to make risk purchase and recover damages on account of such risk purchases. However, credit may be given for the contract cum performance bank guarantee forfeited/encashed in appropriate cases.

CPBG can also be submitted in the form of DD/FD/online payment. Details are provided earlier.

## **SECTION-B**

**1. PRICE BASIS:** Price is to be quoted for Nalco smelter stores basis including all cost component i.e. P&F, freight & transit insurance, GST etc.

### **2. INCOME TAX CLAUSE:**

A. In compliance to income tax act, u/s 206ab & 206cca company will check the filing of income tax return for each of the two previous financial years for which due date for filling of income tax return has expired and also check linking of pan with Aadhaar as required under the act, with the help of facility provided by income tax department for deciding the tds %. However this is as per current status and is subject to modification based on further notification on the subject by govt. Of India under income tax act.

B. Nalco, being (buyer (under section 194q inserted in the income tax act, 1961 vide finance act 2021) having total sales, gross receipts, or turnover from business above rupees ten crore during the last financial year, will deduct tds under section 194q, w.e.f. 01.07.2021, at the prescribed rate of 0.1% on the purchase value of any goods, aggregate of which is exceeding the threshold limit of Rs. 50 lakh in a financial year. Accordingly, vendor/sellers are not to collect tax at source under section 206c (1h) of the act w.e.f. 01.07.2021, in case provisions of section are applicable to them.

**3. THE BIDDERS WHO ARE ON HOLIDAY / NEGATIVE LIST OF NALCO AS ON DUE DATE OF SUBMISSION OF BID / DURING THE PROCESS OF EVALUATION OF THE BIDS, THE OFFERS OF SUCH BIDDERS SHALL NOT BE CONSIDERED FOR BID OPENING/ EVALUATION/AWARD.**

4. In case of weightment items, material will be weighed and accepted as per weightment recorded at Smelter Plant Weighbridge, with a tolerance of +/- 0.5%

### **5. MANDATORY DOCUMENTS TO BE SUBMITTED ALONG WITH THE BIDS**

Following documents must be submitted along with the bids, failing which, bids may be liable for rejection.

- A. All necessary documents related to Bidders' Pre Qualification Criteria (PQC) complete in all respect, wherever applicable. It may be noted that, after submission of the bid, only related shortfall documents may be asked for and considered. For example, if the bidder has submitted a supply/ works order/contract document without its completion/performance certificate, the certificates can be asked for and considered. However, no new supply /works order/contract document shall be considered to qualify the bidder.
- B. Duly filled "Technical confirmation sheet" attached under "Buyer specification document" and "Confirmation to commercial terms, ATC & GTC" attached under "Buyer uploaded ATC document".
- C. Earnest Money Deposit (EMD) **on or before bid end date and time**, wherever applicable.
- D. Duly filled annexures attached under "Buyer uploaded ATC document".
- E. Duly filled Integrity Pact (IP), wherever applicable.

- F. Any document which needs to be certified by a practicing chartered accountant (CA) as per tender requirement, must bear UDIN, without which, the document will not be accepted.
- G. Any other documents mentioned elsewhere, which is a part of bid evaluation.

## **6. MANDATORY DOCUMENTS TO BE SUBMITTED ALONG WITH THE SUPPLY**

- A. Contract copy.
- B. Invoice copy
- C. LR copy
- D. E-way bill (wherever required).
- E. Guarantee/Warranty certificate (wherever required).
- F. Test certificate (wherever required).
- G. Pre Dispatch Inspection (PDI) report (wherever required).
- H. Any other documents specifically mentioned elsewhere during the tender.

## **7. PROCEDURE FOR CLARIFICATION (PRE/POST BID OPENING)**

- A. Any clarification/representation against the bid document prior to bid opening, shall be sought by the bidders online in the GeM Portal i.e., through the GeM representation window only. Queries/clarifications/representations which are received through any mode other than GeM portal (offline mode or e-mail, etc.) will not be considered/entertained.
- B. During bid evaluation, any clarification/shortfall documents shall be sought on GeM portal through clarification window. Bidders must submit the same on the portal only. Clarifications/shortfall documents received through any other modes shall not be considered/entertained.
- C. Through the representation window for rejected bidders, a bidder can submit their representation only regarding a wrong evaluation of their bids. However, clarification/shortfall documents submitted through representation window shall not be considered/entertained.

## **8. CONTACT PERSONS FOR TENDER QUERIES, MATERIAL RECEIPT, CRAC & PAYMENT:**

### **For tender related queries:**

Mr. K. Mohanty, Manager (Mat.), purchase. Mail: [kaibalya.mohanty@nalcoindia.co.in](mailto:kaibalya.mohanty@nalcoindia.co.in).

### **For receipt of materials and CRAC:**

Mr. Subhendu Mishra, Manager (Mat.), central store. Mail: [subhendu.mishra@nalcoindia.co.in](mailto:subhendu.mishra@nalcoindia.co.in).

### **For payment:**

Seller's name starting with alphabets **A to L**: Ms. Ustat Kaur, AM (Fin.), mail: [ustat.kaur@nalcoindia.co.in](mailto:ustat.kaur@nalcoindia.co.in)

Seller's name starting with alphabets **M to Z**: Mr. J.K. Jena, AM (Fin.), mail: [jnanendra.jena@nalcoindia.co.in](mailto:jnanendra.jena@nalcoindia.co.in)

**9. Consignee:** GM (Mat), Central store, NALCO Smelter Plant, Angul -759145, Odisha.

## **10. ADDRESS FOR SUBMISSION OF DD/CHEQUES/BG**

If original EMD/PBG/security deposit (wherever applicable) is to be submitted in form OF DD/Cheque/BG (Nalco format of BG attached in atc), original must be sent to: **Gm (finance), Nalco smelter plant, angul-759145, Odisha**. Gem bid/contract number along with subject of the bid must be mentioned on the envelope .

## **11. ORDER OF PRECEDENCE:**

IN CASE ANY CONFLICT IN THE TERMS & CONDITIONS OF THE TENDER, FOLLOWING DOCUMENTS SHALL BE CONSIDERED IN THE CHRONOLOGICAL ORDER OF PRECEDENCE:-

I. TECHNICAL SPECIFICATIONS (ATTACHED AT BUYER SPECIFICATION DOCUMENT)

II. AGREED TERMS & CONDITIONS (ATC)

III. GEM GENERAL TERMS & CONDITIONS (I.E. GEM GTC)

IV. GENERAL CONDITIONS OF CONTRACT (I.E. GCC) (IF APPLICABLE)

12. Please scan the QR code below to find the location of NALCO Smelter plant gate.



12. **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---