

## अनुबंध | Contract



अनुसूची नाम | Schedule Name: Schedule 4

अनुबंध क्रमांक | Contract No: GEMC-511687786581132

अनुबंध तिथि | Generated Date : 09-Apr-2024

बोली/आरए/पीबीपी संख्या | Bid/RA/PBP No.: [GEM/2023/B/3064983](#)

संगठन विवरण   Organisation Details		खरीदार विवरण   Buyer Details	
प्ररूप   Type :	Central PSU	पद   Designation :	ASSAMNZRMM29
मंत्रालय   Ministry :	Ministry of Petroleum and Natural Gas	संपर्क नंबर   Contact No. :	-
विभाग   Department :	NA	ईमेल आईडी   Email ID :	buyer1.ongc.bokaro@gembuyer.in
संगठन का नाम   Organisation Name :	Oil and Natural Gas Corporation Limited	जीएसटीआईएन   GSTIN :	-
कार्यालय क्षेत्र   Office Zone:	ASSAM MM	पता   Address :	MM, ROB-II, 1ST FLOOR, ONGC, NAZIRA, SIBSAGAR, ASSAM-785685, India

वित्तीय स्वीकृति विवरण   Financial Approval Detail		भुगतान प्राधिकरण विवरण   Paying Authority Details	
आईएफडी सहमति   IFD Concurrence :	No	Role:	PAO
प्रशासनिक अनुमोदन का पदनाम	CGM(D)	भुगतान का तरीका	ONGCOnline
Designation of Administrative Approval:	GM(F&A)	Payment Mode:	
वित्तीय अनुमोदन का पदनाम		पद   Designation :	ASSAMSBSCWS1
Designation of Financial Approval :		ईमेल आईडी   Email ID :	pao29.ongcl.as@gembuyer.in
		जीएसटीआईएन   GSTIN :	18AAACO1598A2ZL
		पता   Address:	CENTRAL WORKSHOP, ONGC, SIVASAGAR, Sivasagar (sibsagar), ASSAM-785640, India

विक्रेता विवरण   Seller Details	
जेम विक्रेता आईडी   GeM Seller ID :	0F7E200001209752
कंपनी का नाम   Company Name :	M/S VIKRAM INTERNATIONAL
संपर्क नंबर   Contact No. :	09435056681
ईमेल आईडी   Email ID :	vi.sbs2007@yahoo.co.in
पता   Address :	J P AGARWALLA PATH,SIBSAGAR, Sivasagar (sibsagar), ASSAM-785640, -
एमएसएमई सत्यापिति   MSME verified :	No
एमएसएमई पंजीकरण संख्या   MSME Registration number :	-
जीएसटीआईएन   GSTIN:	18AEHPK5841E1ZI (R)

\*जिसके नाम के पक्ष में GST/TAX इनवॉइस पेश किया जाएगा | GST / Tax invoice to be raised in the name of - Buyer

वितरण निर्देश   Delivery Instructions : NA	
उत्पाद विवरण   Product Details	

#	आइटम विवरण   Item Description	आइटम विवरण   Ordered Quantity	इकाई   Unit	इकाई मूल्य (INR)   Unit Price (INR)	कर विभाजन (INR)   Tax Bifurcation (INR)	मूल्य (INR में सभी शुल्क और कर सहित)   Price (Inclusive of all Duties and Taxes in INR)
1	उत्पाद का नाम   Product Name : MS PLATE ब्रॉड   Brand : TATA ब्रॉड प्रज्ञन   Brand Type : Unbranded कैटलॉग की स्थिति   Catalogue Status: Catalogue not verified by OEM कैसे बेचा जा रहा है   Selling As : Reseller not verified by OEM श्रेणी का नाम और चतुर्धारा   Category Name & Quadrant : BOQ (Q3) मॉडल   Model: 1500X6300X12mm एप्लिकेशन कोड   HSN Code: 7208	24,920	KG	86.95	NA	2,166,794
कुल ऑर्डर मूल्य   Total Order Value (in INR)						2,166,794

परेष्ठी विवरण   Consignee Detail						
क्र.सं.   S.No	परेष्ठी   Consignee	वस्तु   Item	लॉट नंबर   Lot No.	मात्रा   Quantity	दिनांक के बाद डिलीवरी शुरू करना है   Delivery Start After	वितरण पूरा कब तक करना है   Delivery To Be Completed By
1	पद   Designation : - ईमेल आईडी   Email ID : bycon4.ongc.sibsgr@gembuyer.in संपर्क   Contact : 03772-245467- जीएसटीआईएन   GSTIN : -	MS PLATE	-	24,920	09-Apr-2024	08-Jul-2024

## विवरण | Specification1

[विवरण दस्तावेज | Specification Document](#)

[क्रेता बीओव्यू दस्तावेज | Buyer BOQ Document](#)

[बीओव्यू विवरण और सहायक दस्तावेज का अनुपालन | Compliance of BOQ Specification And Supporting Document](#)

**टिप्पणी | Note:** Seller has given an undertaking that it has made arrangements for getting the stores from an authorized distributor / dealer / channel partner of the OEM of the offered product. At the time of delivery of goods, Seller will provide necessary chain documents (in the form of GST Invoice) to prove that the supplied goods are genuine and are being sourced from an authorized distributor / dealer / channel partner of the OEM. In case of any complaint about genuineness of the supplied products, Seller shall be responsible for providing genuine replacement supplies.

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## ईपीबीजी विवरण | ePBG Detail

सलाहकार बैंक   Advisory Bank :	State Bank of India
ईपीबीजी प्रतिशत (%)   ePBG Percentage(%):	3.00

बोली लगाने वाले को बोली के नियमों और शर्तों के अनुसार लागू ईपीबीजी प्रस्तुत करना होगा | The bidder shall furnish ePBG as applicable as per bid's terms and conditions

## नियम और शर्तें | Terms and Conditions

### 1. General Terms and Conditions-

1.1 This contract is governed by the [General Terms and Conditions](#), conditions stipulated to this Product/Service as provided in the Marketplace.

1.2 This Contract between the Seller and the Buyer, is for the supply of the Goods and/ or Services, detailed in the schedule above, in accordance with the General Terms and Conditions (GTC) unless otherwise superseded by Goods / Services specific Special Terms and Conditions (STC) and/ or BID/Reverse Auction Additional Terms and Conditions (ATC), as applicable

### 2. Buyer Added Bid Specific Terms and Conditions-

#### 2.1 Forms of EMD and PBG:

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

ONGC Limited  
payable at  
Sivasagar-785640

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.

#### 2.2 Forms of EMD and PBG:

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

ONGC Limited  
payable at  
Sivasagar-785640

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.

#### 2.3 Forms of EMD and PBG:

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

Oil and Natural Gas Corporation Limited

Account No.

10637162283

IFSC Code

SBIN0004797

Bank Name

State Bank of India

Branch address

SBI ONGC Colony Branch, Sivasagar

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.

#### 2.4 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

ONGC Limited  
payable at

Sivasagar-785640

. 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.

**2.5 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

Oil and Natural Gas Corporation Limited

Account No.

10637162283

IFSC Code

SBIN0004797

Bank Name

State Bank of India

Branch address

SBI ONGC Colony Branch, Sivasagar

. 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.

**2.6 Generic**

Bidder financial standing: The bidder should not be under liquidation, court receivership or similar proceedings, should not be bankrupt. Bidder to upload undertaking to this effect with bid.

**2.7 Generic**

Manufacturer Authorization: Wherever Authorised Distributors/service providers are submitting the bid, Authorisation Form /Certificate with OEM/Original Service Provider details such as name, designation, address, e-mail Id and Phone No. required to be furnished along with the bid

**2.8 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 by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

**2.9 Generic**

Supplier shall ensure that the Invoice is raised in the name of Consignee with GSTIN of Consignee only.

**2.10 Generic**

The buyer organization is an institution eligible for concessional rates of GST as notified by the Government of India. The goods for which bids have been invited fall under classification of GST concession and the conditions for eligibility of concession are met by the institution. A certificate to this effect will be issued by Buyer to the Seller after award of the Contract. Sellers are requested to submit their bids after accounting for the Concessional rate of GST.

Applicable Concessional rate of GST :

12

%

Notification No.and date :

11/2022

dated

13/07/2022

**2.11 Generic**

Without prejudice to Buyer's right to price adjustment by way of discount or any other right or remedy available to Buyer, Buyer may terminate the Contract or any part thereof by a written notice to the Seller, if:

- i) The Seller fails to comply with any material term of the Contract.
- ii) The Seller informs Buyer of its inability to deliver the Material(s) or any part thereof within the stipulated Delivery Period or such inability otherwise becomes apparent.
- iii) The Seller fails to deliver the Material(s) or any part thereof within the stipulated Delivery Period and/or to replace/rectify any rejected or defective Material(s) promptly.
- iv) The Seller becomes bankrupt or goes into liquidation.
- v) The Seller makes a general assignment for the benefit of creditors.
- vi) A receiver is appointed for any substantial property owned by the Seller.
- vii) The Seller has misrepresented to Buyer, acting on which misrepresentation Buyer has placed the Purchase Order on the Seller.

**2.12 Generic**

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.

**2.13 Generic**

Wherever Essentiality Certificate is applicable (PEL/ML), successful bidder should provide Proforma Invoice for processing for EC application and material should be dispatched after receiving of EC from DGH. In view of the same, an ATC may be incorporated in GeM, viz, "BIDDER/OEM must provide Proforma Invoice for processing for EC application within

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days from date of issue of GeM Contract and material should be dispatched after receiving of EC from DGH."

**2.14 Scope of Supply:**

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

**2.15 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.

**2.16 Buyer Added Bid Specific ATC:**

Buyer Added text based ATC clauses

**1. Bid Evaluation criteria:-**

The following vital technical conditions should be strictly complied with, failing which the bid will be rejected:

**B.1 Technical rejection criteria**

The following vital technical conditions should be strictly complied with failing which the bid will be rejected:

**B.1.1 Bid should be complete in all aspects covering entire scope of job/ supply and should conform to the technical specifications indicated in the**

bid document, duly supported with technical catalogues/ literatures, wherever applicable. Incomplete and non-conforming bids will be rejected outright.

**B.1.2. Manufacturer's experience:-** In case the bidder is a manufacturer of the offered equipment / item, he should satisfy the following along with documentary evidence, which should be enclosed along with the techno-commercial bid:

(a) **Experience Criteria:** Minimum 03 (Three) years of experience of manufacturing (similar items)\*.

(b) **Past Performance:** Should have manufactured and supplied minimum of 20% of (similar items)\* of Bid quantity to any Central / State Govt Organization / PSU / Public Limited Company , during the last 03 years.

\*(Similar items means purchase order of MS plates/MS Chequered plates/MS angles/MS channels/MS Beams are acceptable and not limited to primary product mentioned in GEM bid).

For meeting the requirement above at (a) & (b), the period reckoned shall be the period prior to the originally scheduled date of opening of the techno-commercial bid.

**B.2.1** In case the bidder is not a manufacturer, then the bidder is required to submit documentary evidence in respect of the above 2 (a) and 2(b) of the concerned manufacturer (having supplied such items either by manufacturer himself or his distributor), along with the techno-commercial bid.

**B.2.2** Bidders, who have successfully executed development order for similar items placed by ONGC/OIL pursuant to successful field trial testing would be considered as established source of supply and in that case, documents for satisfying BEC Clause 2(a) and 2(b) are not required to be submitted. However, such bidders shall submit the certificate towards satisfactory execution of development order pursuant to successful field trial testing along with the techno-commercial bid.

For Development Order issued by ONGC after 02.12.2020, such certificate should have been issued by Head INDEG only.

**Note:**

Start-ups, even after successful execution of development order, shall be required to meet experience requirement as stipulated in tender in full and no relaxation from 'Prior experience Criteria' will be provided.

**B.2.3 Applicable for bidders submitting their bid as Start-up:** (Definition of "Startup" shall be as per Gazette Notification G.S.R. 127(E) dated 19.02.2019 (as amended) of Govt of India):

In case Start-up bidder has supplied any quantity of similar items as mentioned in clause 2(b) above to any Central / State Govt Organization / PSU / Public Limited Company, during the last 03 years, they will be considered meeting experience criteria as per BEC Clause B.1.2(a) and B.1.2(b).

The above relaxation is subject to submission of following documents:

(i) Registration Certificate issued by Department for Promotion of Industry and Internal Trade (DPIIT), earlier known as Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce, certified by Start-up Director/Partner.

(ii) A declaration from the Directors/Partner of the start-up stating that bid is submitted by Start-up as Manufacturer of the quoted item (in case of procurement of Goods)/ Provider of quoted services (in case of procurement of services) and not as a trader/dealer/distributor.

**4. Testing Facility:**

Bidders should have the required facilities for testing the quoted item as per International standards at their premises and also agree to inspection by ONGC or any other agency nominated by ONGC. In case the bidder is not the manufacturer, a certificate from the manufacturer to the effect that the manufacturer possesses the required facilities for testing the quoted item should be enclosed along with the techno-commercial bid.

**Other Terms And Conditions:**

2. Detail technical specification is attached at Buyer uploaded ATC document.

3. **Undertaking regarding technical specification:** Bidder to submit undertaking confirming the acceptance and supply of material as per technical specification attached at specification document of GeM bid.

4. **EMD clause:**

MSEs possessing valid Udyam Registration Certificate as notified vide Gazette notification no. S.O. 2119 dated 26.06.2020 (as amended) issued by Ministry of Micro, Small and Medium Enterprises will be exempted from furnishing bid security / earnest money deposit and will be eligible for other benefits as per PPP for MSEs order,2012 subject to following conditions:

- a. Bidder is participating in tender as manufacturer of the quoted item and not as a trader/dealer.
- b. Bidder submits the copy of valid Udyam Registration Certificate, as Micro or Small Enterprise.

Firms Recognized as "Start-ups" by DPIIT(Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry GOI) will also be exempted from furnishing bid security / earnest money deposit subject to submission of documents as mentioned at Para B.2.3 of Technical BEC.

**5. Performance security (security deposit) and Bid Security (EMD)**

Bidder may also submit EMD and Security deposit in form of Bank Guarantee. The format, validity and claim period along with other instruction related to furnishing BG will be governed by GeM format and this GeM Bid. Bidder need to ensure while submitting Bank Guarantee for EMD and Security deposit that as per amendment in Section 28 of the Indian Contract Act, 1872 which is now being implemented by banks, bidder to ensure that there is a mandatory claim period of minimum 1 year from the date of expiry of bank guarantee.

6. In case bidder has submitted EMD in the form of Bank Guarantee, Banker's Cheque or Demand Draft then as per Clause xiii (m) of GeM GTC Please submit Hardcopy of the same within Five (05) days of Technical Bid opening date to the following Buyer's address.

Office of the CGM - Head MM, ROB-II, ONGC, Nazira, Assam-785685.

**7. Disclosure of Prices in the techno-commercial bid:**

**Bidders should not indicate/disclose prices in techno-commercial (un-priced bid). In case bidders indicate/disclose prices in techno-commercial (un-priced bid) or at any stage before opening of price-bid, their bids shall be evaluated without giving any cognizance to such prices.**

**Evaluation will be done as per GeM bid only. If the bidder has indicated/disclosed some price in techno commercial bid (at techno commercial stage) or at any stage before opening of price-bid, but has not indicated any price in its Price Bid, its offer shall be considered as without any price and thus shall be rejected and in no case price revealed in techno-commercial bid shall be considered for award.**

**8. It is informed that after the successful rollout of VIMS across ONGC, the processing of**

**invoice is to be done through VIMS portal. In this regard Supplier is requested to submit the complete set of documents (invoices/ documents submitted to bank for payment) at VIMS portal (<https://vims.ongc.co.in>).**

**9. Even after submission of complete invoice along with all relevant documents if Vendors do not receive due payment within due date and they also do not receive any intimation regarding discrepancy in invoice, they may raise the issue in the dedicated Email-ID (grievances\_assam@ongc.co.in) with copy to Chief MM and Chief Corporate Finance, giving complete details of IMS/VIM DP no., PO number and details of concerned identified user from ONGC.**

**10. Delivery terms and liquidated damage:**

**The date of receipt of material at consignee (i.e. PRC for GeM) will be considered as date of delivery of material. The Liquidated damages clause will be as per GeM terms & condition.**

**11. Place of Inspection: Pre dispatch inspection by QAD.**

**12. Term & Conditions of Inspection:**

**a) Inspection will be carried out in conformity with technical specifications at manufacturer's premises**

**b) Material test certificate from Govt-approved laboratory to be submitted along with supply of material in addition to the manufacturer test certificate for the base material used for manufacturing of the items.**

**13. Undertakings to be submitted by bidder on Letter Head for MSE preference**

**Copy of valid Udyam Registration Certificate as notified vide Gazette notification no. S.O. 2119(E) dated 26.06.2020 (as amended) issued by ministry of Micro, Small and Medium Enterprises if bidder is Micro or Small Enterprises (MSE)**

**In case bidding MSE is owned by Schedule Caste or Schedule Tribe entrepreneur or owned by Women, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST or Women entrepreneur should also be enclosed.**

**(The following to be provided on the vendor's letterhead duly signed and stamped)**

**Undertaking to be submitted by MSE Bidders**

**We, M/s \_\_\_\_\_ are aware that benefits under PPP for MSE, Order 2012 are available only to manufacturer of quoted item and not to the trader/dealer. I/We confirm that bid is submitted as manufacturer of the quoted item and hence would like to avail the benefits of exemption from submission of EMD and Purchase Preference in this tender."**

**Authorised Signatory of The bidder**

**Place**

**Date**

**OR**

**We, M/s \_\_\_\_\_ are aware that benefits under PPP for MSE, Order 2012 are available only to manufacturer of quoted item and not to the trader/dealer. I/We are not manufacturer of quoted item and since bid is submitted as trader/dealer, I/We are not eligible for benefits of exemption from submission of EMD and Purchase Preference in this tender."**

**Authorised Signatory of The bidder**

**Place**

**Date**

**14. Bidder must submit an undertaking along with their techno-commercial bid that all instructions and conditions as contained in the GEM Bid document (including General Terms and Conditions of GEM & ATC) as well as the instructions contained in the website 'gem.gov.in' are acceptable to them unconditionally and no deviation from these conditions have been taken in their offer.**

**15. Declaration for Banning Order**

**The bidder should submit a declaration to the effect that neither the bidder themselves, nor any of its allied concerns, partners or associates or directors or proprietors involved in any capacity, are currently serving any banning orders issued by ONGC debarring them from carrying on business dealings with ONGC**

**16. GST Certificate and Undertaking**

**Bidder is required to submit a copy of valid GST registration certificate under GST Legislations of India and also required to submit an undertaking to provide all the necessary compliances/ Invoice/documents required under GST legislation for enabling ONGC to avail Input tax (GST) credit.**

**17. As per Clause 5.0 of GeM GTC, ATC will supersede those in GTC and STC in case of any conflicting provisions.**

**नोट: यह सिस्टम जनरेटेड फाइल है। कोई हस्ताक्षर की आवश्यकता नहीं है। इस दस्तावेज़ का प्रिंट आउट भुगतान/लेनदेन उद्देश्य के लिए मान्य नहीं है।**

**Note: This is system generated file. No signature is required. Print out of this document is not valid for payment/ transaction purpose.**