

### Bid Document/ बिड दस्तावेज़

<b>Bid Details/बिड विवरण</b>	
<b>Bid End Date/Time/बिड बंद होने की तारीख/समय</b>	10-03-2025 13:00:00
<b>Bid Opening Date/Time/बिड खुलने की तारीख/समय</b>	10-03-2025 13:30:00
<b>Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)</b>	180 (Days)
<b>Ministry/State Name/मंत्रालय/राज्य का नाम</b>	Ministry Of Health And Family Welfare
<b>Department Name/विभाग का नाम</b>	Department Of Health Research
<b>Organisation Name/संगठन का नाम</b>	Indian Council Of Medical Research (icmr)
<b>Office Name/कार्यालय का नाम</b>	Icmr National Aids Research Institute
<b>क्रेता ईमेल/Buyer Email</b>	shirke.rs@icmr.gov.in
<b>Total Quantity/कुल मात्रा</b>	3840
<b>Item Category/मद केटेगरी</b>	HIV ELISA Test Kits (Q2) ( <b>PAC Only</b> )
<b>OEM Average Turnover (Last 3 Years)/मूल उपकरण निर्माता का औसत टर्नओवर (गत 3 वर्षों का)</b>	1 Lakh (s)
<b>Years of Past Experience Required for same/similar service/उन्हीं/समान सेवाओं के लिए अपेक्षित विगत अनुभव के वर्ष</b>	3 Year (s)
<b>MSE Exemption for Years Of Experience/अनुभव के वर्षों से एमएसई छूट/ and Turnover/टर्नओवर के लिए एमएसई को छूट प्राप्त है</b>	Yes
<b>Startup Exemption for Years Of Experience/अनुभव के वर्षों से स्टार्टअप छूट/ and Turnover/ टर्नओवर के लिए स्टार्टअप को छूट प्राप्त है</b>	Yes
<b>Document required from seller/विक्रेता से मांगे गए दस्तावेज़</b>	Experience Criteria,Past Performance,Bidder Turnover,Certificate (Requested in ATC),OEM Authorization Certificate,OEM Annual Turnover,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

Bid Details/बिड विवरण	
<b>Do you want to show documents uploaded by bidders to all bidders participated in bid?/</b>	No
<b>Past Performance/विगत प्रदर्शन</b>	50 %
<b>Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया</b>	No
<b>Type of Bid/बिड का प्रकार</b>	Two Packet Bid
<b>Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमति समय</b>	2 Days
<b>Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)</b>	No
<b>Estimated Bid Value/अनुमानित बिड मूल्य</b>	80000
<b>Evaluation Method/मूल्यांकन पद्धति</b>	Total value wise evaluation
<b>Arbitration Clause</b>	No
<b>Mediation Clause</b>	No

#### EMD Detail/ईएमडी विवरण

Required/आवश्यकता	No
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#### ePBG Detail/इपीबीजी विवरण

Required/आवश्यकता	No
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#### MII Purchase Preference/एमआईआई खरीद वरीयता

MII Purchase Preference/एमआईआई खरीद वरीयता	No
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#### MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता	Yes
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#### Details of the Competent Authority approval for PAC

Competent Authority Approval document for PAC : [View Document](#)

Name of Competent Authority	Dr. Sheela Godbole
Designation of Competent Authority	Director

Office / Department / Division of Competent Authority	Director
CA Approval Number	Via e- file# 223996
Competent Authority Approval Date	2025-02-04 00:00:00
Brief Description of the Approval Granted by Competent Authority	As per the justification provided by the Indenter in the PAC certificate.

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" subject to meeting of quality and technical specifications. If the bidder is OEM of the offered products, it would be exempted from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. 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. If the bidder is a Startup, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria" subject to their meeting of quality and technical specifications. If the bidder is OEM of the offered products, it would be exempted from the "OEM Average Turnover" criteria also subject to meeting of quality and technical specifications. 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.
3. 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 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.
4. 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.
5. 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.
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 50% 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. 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.

### HIV ELISA Test Kits ( 3840 Test ) ( Under PAC )

Make	j.mitrapvt.ltd.
Model	j.mitrapvt.ltd.

#### Technical Specifications/तकनीकी विशेषियाँ

\* जेम केटेगरी विशेषि के अनुसार / As per GeM Category Specification

Specification	Specification Name/विशेषि का नाम	Bid Requirement/बिड के लिए आवश्यक (Allowed Values)/अनुमत मूल्य
PRODUCT INFORMATION	Type of Kit	HIV1 & HIV2 Antibodies Detection ELISA Test Kit
	Detection Type	Qualitative
	Testing Principle	Indirect ELISA
	Type of Sample	Serum, Plasma
	Time to Result	? 180 minutes

#### Additional Specification Parameters - HIV ELISA Test Kits ( 3840 Test )

Specification Parameter Name	Bid Requirement (Allowed Values)
Parameter 01	As per the Specification Document and the Proprietary Article Certificate provided in the Buyer Added ATC Document section, participating bidders are advised to submit only those products that fully comply with the specified requirements.

\* Bidders offering must also comply with the additional specification parameters mentioned above.

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

S.No./क्र. सं.	Consignee Reporting/Officer/ प्रेषिती/रिपोर्टिंग अधिकारी	Address/पता	Quantity/मात्रा	Delivery Days/डिलीवरी के दिन
1	Jayashree Vilas Gadre	411026,Plot 73, G Block, MIDC, Bhosari, Pune 411026.	3840	15

#### Special terms and conditions-Version:2 effective from 19-05-2023 for category HIV ELISA Test Kits

1.

- All Provisions of Drugs and Cosmetics Act, 1940 and Rules (including Medical Device Rule 2017) made there under as amended till date will always be applicable. This will include all notifications

issued by Central Drugs Standard Control Organization (CDSCO), Ministry of Health & Family Welfare (MoHFW) and Department of Pharmaceuticals (DOP), Ministry of Chemicals & Fertilizers time to time in this regard.

2. The sellers are registered on GeM based on self-declaration of valid Drug License, product certification, test reports etc. However, buyers must check and validate the details at their end for all applicable licenses and certifications e.g., validity and authenticity/genuineness of drug license, product certification, manufacturer certification/licenses, test reports etc.
3. In case of authorized resellers/distributors, it will be the legal & regulatory liability of the manufacturer to ensure that their resellers/distributors are operating in compliance with all relevant laws and regulations and are properly licensed to sell the manufacturer's products, including verifying the validity and authenticity of drug license held by them.
4. The price offered by the seller/bidder shall not, in any case exceed the DPCO/NPPA controlled price or price fixed by State Government, if any. The seller must reduce the prices if there is any reduction in DPCO/NPPA ceiling price or price fixed by State Government, if any.
5. Any other Terms and Conditions which is not included or at variance with the conditions specified in STC/GTC, may be added by the buyer through Additional Terms and Conditions (ATC) in the bid to ensure items are procured from authentic/validated source with appropriate and applicable quality. The above terms and conditions are in reverse order of precedence i.e. ATC shall supersede specific STC which shall supersede General Terms and Conditions (GTC), whenever there are any conflicting provisions.

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

1. Experience Certificate for the supply of the same to any Govt/ PSU/ any renowned private organisation along with Supply/ Purchase Order.
2. If the agency is registered under MSME or NSIC, then EMD exemption certificate needs to be enclosed.
3. Make in india specific authorisation certificate needs to be enclosed.

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

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

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

Buyer Added text based ATC clauses

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

### **1. General Guidelines**

- Bidders must verify the applicable GST before quoting. The buyer assumes no responsibility in this regard.
- GST reimbursement will be based on actuals or applicable rates, whichever is lower, subject to a maximum of the quoted GST percentage.

### **2. Product Data Sheet**

- The data sheet of the offered product(s) must be uploaded with the bid documents.
- Buyers will verify the data sheet against the product specifications. Any unexplained mismatch in technical parameters may lead to bid rejection.

### **3. Experience Criteria**

- The bidder or its OEM (either directly or through resellers) must have supplied similar category products to any Central/State Government Organization/PSU for at least three years before the bid opening date.
- Copies of relevant contracts must be submitted as proof of supply during each of the three years.
- For bunch bids, the primary product with the highest value must meet this criterion.

### **4. Malicious Code Certification**

- The seller must upload a certificate stating that the offered hardware and software do not contain embedded malicious code that:
  - Inhibits the designed function of the equipment.
  - Causes physical damage to users or equipment.
  - Taps into information within the equipment/network.
- The seller will be held liable for any damage, loss of information, or copyright/IPR infringements caused by malicious code in embedded software.

## **5. Installation and Commissioning**

- Installation, commissioning, testing, configuration, and training (if applicable) must be conducted by the OEM, an OEM-certified resource, or an OEM-authorized reseller.

## **6. Manufacturer Authorization**

- Authorized distributors/service providers submitting bids must provide an authorization form/certificate from the OEM/Original Service Provider, including details such as name, designation, address, e-mail ID, and phone number.

## **7. Option Clause**

- The purchaser reserves the right to increase or decrease the order quantity by up to 50% at the time of contract placement.
- The purchaser also reserves the right to increase the ordered quantity by up to 50% during the contract period at the contracted rates. Bidders must accept such orders accordingly.

## **8. Contract Termination**

- The buyer reserves the right to terminate the contract if the seller:
  - Fails to comply with any material contract terms.
  - Informs the buyer of its inability to deliver the material(s) within the stipulated period.
  - Fails to replace or rectify defective material(s) promptly.
  - Declares bankruptcy or goes into liquidation.
  - Misrepresents facts leading to the placement of the purchase order.

## **9. Buyer-Specific Additional Terms and Conditions**

### **Tender Details:**

- The tender is for the procurement of HIV ½ ELISA TEST KIT (PAC) (40 kits), invited by the Director, ICMR-NITVAR, Pune, for delivery to ICMR-NITVAR, Pune.

## **10. Bidder Eligibility**

- The bidder must be either a manufacturer or an authorized agent.

## **11. One Bid per Bidder**

- A firm can submit only one bid either individually or as a joint venture partner.
- Submission of multiple bids by the same firm will result in disqualification.

## **12. Right to Cancel**

- ICMR reserves the right to cancel the bid, in part or full, without assigning any reason. The decision of the Director, ICMR-NITVAR, shall be final and binding.

## **13. Inspection and Testing**

- ICMR-NITVAR or its representatives reserve the right to inspect and test goods for compliance with c

ontract specifications.

- The supplier may conduct an independent quality test at their own cost.
- Goods will be inspected before dispatch, and an acceptance certificate will be issued by the representative.

#### **14. Packing Requirements**

- Goods must be packed securely to prevent damage during transit, considering environmental factors such as temperature and moisture.
- Packing and marking must comply strictly with contract specifications and additional procurement agency instructions.

#### **15. Payment Terms**

- 100% payment will be made after complete delivery, successful installation, and submission of a Performance Bank Guarantee.
- Payment is subject to deductions for statutory taxes, liquidated damages (if any), and rectification of any unresolved deficiencies.
- Required documents for payment:
  - Purchase Order copy
  - Extension Order (if any)
  - Original invoice
  - Installation report signed by an authorized officer
  - Acknowledgment of goods receipt
  - Performance Bank Guarantee

#### **16. Dispute Resolution**

- Disputes shall be resolved through mutual consultation.
- If unresolved within 30 days, disputes will be referred to arbitration.
- Arbitration shall follow the rules established under the Commercial Courts Act, 2018.
- The venue for arbitration will be Pune, and the language shall be English.
- The Director, ICMR-NITVAR, will appoint the sole arbitrator.

#### **17. Consignee Details**

- Delivery and installation location: ICMR-NITVAR, Pune.

#### **18. Insurance Requirements**

- The supplier must arrange insurance against transit loss or damage.
- Insurance should cover 110% of the contract value in favor of ICMR, valid for three months after delivery.
- If installation is delayed beyond three months, the supplier must extend the insurance at their cost.

#### **19. GST Applicability**

- GST will be applicable as per the latest Government of India notification.

#### **20. Definition of Equipment Delivery**

- Delivery includes supply, installation, testing, and commissioning of equipment.

#### **21. Exemption for Certain Bidders**

- Micro and Small Enterprises (MSEs) and recognized Start-ups are exempt from experience and turnover requirements.
- MSEs must validate their credentials through Udyam Registration/Udyog Aadhaar.

## **22. Manufacturer Authorization Requirement**

- Manufacturer authorization should be tender-specific.
- If a manufacturer submits a bid, its authorized dealer's bid will not be considered.
- One agent cannot represent multiple manufacturers in a tender.

## **23. Proprietary Product Representation**

- Manufacturers/authorized distributors must submit representations on product proprietorship in accordance with Rule 166(i) of GFR, 2017.
- Representation documents must include:
  - Product brochure
  - Compliance statement with documentary evidence
- Submissions must be sent to The Director, ICMR-NITVAR, Pune ([nariadmin1@nariindia.org.in](mailto:nariadmin1@nariindia.org.in)) by 04.03.2025, 05:00 PM.

## **Disclaimer/अस्वीकरण**

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.

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 are mandated to ensure compliance with all the applicable laws / acts / rules including but not limited to all Labour Laws 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. Any non-compliance will be treated as breach of contract and Buyer may take suitable actions as per GeM Contract.**

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

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./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 नियिदा 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।

**---Thank You/धन्यवाद---**