

Bid Document

Bid Details	
Bid End Date/Time	12-08-2022 14:00:00
Bid Opening Date/Time	12-08-2022 14:30:00
Bid Offer Validity (From End Date)	80 (Days)
Ministry/State Name	Ministry Of Defence
Department Name	Department Of Defence Production
Organisation Name	Mazagon Dock Shipbuilders Limited
Office Name	*****
Total Quantity	33
Item Category	Layer 2 Access Switch Rev 1 (Q2)
Minimum Average Annual Turnover of the bidder (For 3 Years)	24 Lakh (s)
OEM Average Turnover (Last 3 Years)	24 Lakh (s)
Years of Past Experience Required for same/similar service	3 Year (s)
MSE Exemption for Years of Experience and Turnover	No
Startup Exemption for Years Of Experience and Turnover	Yes
Document required from seller	Experience Criteria,Past Performance,Bidder Turnover,Certificate (Requested in ATC),OEM Authorization Certificate,OEM Annual Turnover,Additional Doc 1 (Requested in ATC) *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
Past Performance	50 %
Bid to RA enabled	No
ITC available to buyer	Yes
Time allowed for Technical Clarifications during technical evaluation	3 Days
Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)	No
Estimated Bid Value	7900000

Bid Details

Payment Timelines	Payments shall be made to the Seller within 20 days of issue of consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10 days time as provided in clause 12 of GeM GTC)
Evaluation Method	Total value wise evaluation

EMD Detail

Advisory Bank	State Bank of India
EMD Percentage(%)	2.00
EMD Amount	158000

ePBG Detail

Advisory Bank	State Bank of India
ePBG Percentage(%)	3.00
Duration of ePBG required (Months).	38

(a). EMD EXEMPTION: The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid. Under MSE category, only manufacturers for goods and Service Providers for Services are eligible for exemption from EMD. Traders are excluded from the purview of this Policy.

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

Beneficiary:

GENERAL MANAGER

Mumbai, Department of Defence Production, Mazagon Dock Shipbuilders Limited, Ministry of Defence
(C M Latkar)**Splitting**

Bid splitting not applied.

MII Purchase Preference

MII Purchase Preference	Yes
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MSE Purchase Preference

MSE Purchase Preference	Yes
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1. If the bidder is a Startup, the bidder shall be exempted from the requirement of "Bidder Turnover" criteria and "Experience Criteria". If the bidder is OEM of the offered products, it would also be exempted from the "OEM Average Turnover" criteria. In case any bidder is seeking exemption from Turnover / Experience Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer.

2. 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 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.
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 / Public Listed Company for number of Financial years as indicated above in the bid document before the bid opening date. Copies of relevant contracts to be submitted along with bid in support of having supplied some quantity during each of the Financial year. In case of bunch bids, the category of primary product having highest value should meet this criterion.
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. 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 .In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.
6. Purchase preference to Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs 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 the Purchase preference, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service. 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 Seller shall be given opportunity to match L-1 price and contract will be awarded for 25%(selected by Buyer) percentage of total QUANTITY.
7. 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.
8. 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 / Public Listed Company. Copies of relevant contracts (proving supply of cumulative order quantity in any one financial year) to be submitted along with bid in support of quantity supplied in the relevant Financial year. In case of bunch bids, the category related to primary product having highest bid value should meet this criterion.

Layer 2 Access Switch Rev 1 (33 pieces)

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)

Brand Type	Registered Brand
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Technical Specifications

* As per GeM Category Specification

Specification	Specification Name	Bid Requirement (Allowed Values)
Specification	Type of Switch	Managed
	Technology	Non PoE
	Number of 1G Copper Ports	24
	Number of 10G Copper Ports	0
	Number of 1 G SFP Port (Uplink)	2
	Number of 10 G SFP+ Port (Uplink)	2
	Multi-Gigabit Support	Yes
	Redundant Power supply (from day one)	Not Available
	Console Port	Available
	Switching Capacity-Non Blocking (Gbps)	208
	Throughput (MPPS)	154
	Dedicated Stacking Port/Slot (from day one)	Available
	PoE Power Budget (Watt)	0
	On Site OEM Warranty	3 Year

Additional Specification Parameters - Layer 2 Access Switch Rev 1 (33 pieces)

Specification Parameter Name	Bid Requirement (Allowed Values)
1) Operating System 2) Stacking Bandwidth (Gbps) 3) Basic Layer-3 Protocol 4) Security Feature	a) Available b) 80 c) Static routing d) SSHv1/v2,SSL,802.1x,PVE,PS,ACL,Dynamic Arp Inspection,RADIUS/TACACS+,Storm Control,DHCP Snooping,DOS
5) Management Protocol 6) QoS	e) LLDP, CLI, SNMP, WebUI, RMON ,S-flow,LLDP, HTTP/HTTPS,Telnet, Port Mirroring, Syslog f) Support 8 queues per port,SP,WRR,WRED,802.1P,Diffserv,Policing,Shaping,Scheduling
7) IPv6 Ready from day one and dully certified 8) Operating Temperature Range (Degree C) 9) Operating Humidity (RH)(%)	g) Yes h) Operating Temperature Range (Degree C) i) 0 to 95

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

Input Tax Credit(ITC) and Reverse Charge(RCM) Details

ITC on GST	ITC on GST Cess	RCM Applicable
100%	NA	No

Consignees/Reporting Officer and Quantity

S.No.	Consignee/Reporting Officer	Address	Quantity	Delivery Days
1	*****	*****MUMBAI	33	90

Buyer Added Bid Specific Terms and Conditions

1. **Generic**

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 50 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 50% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

2. **Generic**

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

3. **Generic**

Data Sheet of the product(s) offered in the bid, are to be uploaded along with the bid documents. Buyers can match and verify the Data Sheet with the product specifications offered. In case of any unexplained mismatch of technical parameters, the bid is liable for rejection.

4. **Generic**

End User Certificate: Wherever Bidders are insisting for End User Certificate from the Buyer, same shall be provided in Buyer's standard format only.

5. **Generic**

IT equipment shall be IPv6 ready from day one.

6. **Generic**

Malicious Code Certificate:

The seller should upload following certificate in the bid:-

- (a) This is to certify that the Hardware and the Software being offered, as part of the contract, does not contain Embedded Malicious code that would activate procedures to :-
- (i) Inhibit the desires and designed function of the equipment.
 - (ii) Cause physical damage to the user or equipment during the exploitation.
 - (iii) Tap information resident or transient in the equipment/network.
- (b) The firm will be considered to be in breach of the procurement contract, in case physical damage, loss of information or infringements related to copyright and Intellectual Property Right (IPRs) are caused due to activation of any such malicious code in embedded software.

7. Generic

Installation, Commissioning, Testing, Configuration, Training (if any - which ever is applicable as per scope of supply) is to be carried out by OEM / OEM Certified resource or OEM authorised Reseller.

8. Generic

Upload Manufacturer authorization: Wherever Authorised Distributors are submitting the bid, Manufacturers Authorisation Form (MAF)/Certificate with OEM details such as name, designation, address, e-mail Id and Phone No. required to be furnished along with the bid.

9. 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.

10. 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.

11. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

Bidder should note the following and upload the required document before/after submission of bid.

A) Make in India Clause :

1. All bidders should submit the local content declaration certificate with Vendor's self-declaration on Company's Letterhead by authorized Signatory from vendor side.

2. After the contract is awarded and the supplies are completed, the supplier shall provide a "Local Content certificate" (Annexure - B-1/B-2) declaring the actual local content percentage achieved while executing the contract. In case of failure to provide local content certificate for the executed order within reasonable time, the issue be referred for debarment.

3. Declared Local Content shall be the basis for categorization of the vendors and tender evaluation.

However MDL reserve the right to undertake detailed examination of declared local content and may call vendor to submit relevant documents.

4. In cases where MDL received the complaint from any vendor or person along with the fees prescribed below, verification of Declared Local Content shall be carried out by seeking additional information as deemed necessary and bidders (including unsuccessful bidders) against the tender shall be obliged to

furnish the necessary documents. failing to do so , the vendor may invite penal action as per the provision of the Order. If MDL possess the capability, then it shall perform the verification. However, if in the opinion of MDL matter needs to be dealt at higher level , then the complaint shall be referred to Nodal Ministry and their fees / expenses / charges applicable as per the Nodal Ministry , if any shall be borne by the complainant. MDL is authorized to prescribe fees for handling complaints under revised PPP MII order 2017. The fees for filing a complaint under the order shall be Rs. 10,000/- per case. The complaint shall be filled to the Chairman , Public Grievance Cell. The fee shall be deposited by complainant in MDL's Account by NEFT.

5. On opening of the price bids, if it is identified that there is difference in local content declaration made & local content percentage as per price quoted is now not meeting (i.e. lesser than) the specified tender requirement (i.e. on the quoted price without any loading) then such bidder shall be disqualified and shall not be considered for ranking purpose. The bid would be treated / considered as given false declaration and necessary action for debarment shall be initiated.

6. Bidders offering imported products will fall under category of Non-local suppliers and they cannot claim themselves as class-I local suppliers/class-II local suppliers by claiming the services such as transportation, insurance, installation, commissioning, training and after sales service support like AMC/CMC, etc. as local value addition.

B) Vendor's self-declaration for E-invoice

i) Refer GST notification no. 01/2022-central Tax Dt. 24th Feb 2022 issued by CBIC, W.e.f. 1st April thus Vendors, whose aggregate turnover in any preceding financial year from FY 2017-18 onwards, exceeds Rs. 20 Cr. as per GST act, will have to issue an e-invoice with as QR code and Invoice Registration No.

ii) Wherever GST is applicable, payment will be released against e-invoice only (for Vendors coming under GST act mentioned in Sr. No. (i),

Or,

Invoices accompanied with Vendor's self-declaration on Company's Letterhead by authorized Signatory from vendor side that " We don't fall under the category of registered persons notified under rule 48(4) of the Central GST Rules,2017 and we are not required to comply with e-Invoicing provisions under GST act, as our aggregate turnover in any preceding financial year from 2017-18 onwards has not exceeded Rs. 20 Cr. as per GST act".

C) Other Terms & Conditions and scope of work :

1. Supply, installation and commissioning of NETWORK SWITCHES as per MDL's requirements.
2. Satisfactory commissioning is within vendor scope of supply, Installation and Commissioning. The order will be construed as completed only after successful commissioning of all items in contract /order.
3. All items shall be supplied at MDL Mumbai.
4. The firm has to replace the NETWORK SWITCHES with new ONE during the entire contract period.
5. At the destination site carton/boxes will be opened in the presence of the authorized person/users and vendor representatives. If requested by security, the same will be opened at Security gate for inspection. Vender shall seal it again at security gate before delivery at destination department in MDL.

D) Start-ups firms are exempted from submission of Audited / certified Annual financial turnover details & PO copies of the supplies during the last 3 years for the tendered items. Start-up firms shall meet the criteria as per the guidelines given by Government of India in their gazette notification. The Start-Up firms should upload the DIPP (Department of Industrial Policy and Promotion) certificate along with their techno-commercial bid. The Start-Up firms should also upload their manufacturing methodology using the infrastructure installed by them for our scrutiny. PQ criteria of prior experience may also be relaxed for MSE manufactures registered for tender items subject to their meeting quality and technical specification of scope of supply as per tender.

12. **Buyer Added Bid Specific ATC**

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

Disclaimer

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization. Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity/restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and/or terms and conditions governing the bid. Any clause incorporated by the Buyer such as demanding Tender Sample, incorporating any clause against the MSME policy and Preference to make in India Policy, mandating any Brand names or Foreign Certification, changing the default time period for Acceptance of material or payment timeline governed by OM of Department of Expenditure shall be null and void and would not be considered part of bid. Further any reference of conditions published on any external site or reference to external documents/clauses shall also be null and void. If any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations. Also, GeM does not permit collection of Tender fee / Auction fee in case of Bids / Forward Auction as the case may be. Any stipulation by the Buyer seeking payment of Tender Fee / Auction fee through ATC clauses would be treated as null and void.

[This Bid is also governed by the General Terms and Conditions](#)

In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

---Thank You---