Bid Number: GEM/2022/B/2518638
Dated: 28-09-2022

Bid Corrigendum

GEM/2022/B/2518638-C1

Following terms and conditions supersede all existing “Buyer added Bid Specific Terms and conditions” given in the bid document or any previous corrigendum. Prospective bidders are advised to bid as per following Terms and Conditions:

Buyer Added Bid Specific Additional Terms and Conditions

1. 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. Scope of supply (Bid price to include all cost components) : Supply Installation Testing and Commissioning of Goods
3. 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
4. Buyer Added text based ATC clauses

(I) **TERMS AND CONDITIONS:**

1. **ADDITIONAL SPECIFICATIONS:**

1.1 Form factor: Height 1U (1.75 inch) max, mountable on wall, desk, rack with mounting kit. (Rack mounting kit to be supplied along with the device)

1.2 Uplink ports:

i) Min 4 x 10GbE SFP+

ii) Required 10G SFPs (Single Mode) from same OEM supporting minimum 2 Km distance must be supplied along with the devices.

1.3 Switching Bandwidth (full-duplex capacity): Minimum 176 Gbps non-blocking switching capacity.

1.4 Power Supply: 230V 50HZ AC (Indian Standard), Power Cable must be supplied.

1.5 Layer 2 feature: 802.1Q VLAN tagging with minimum number of VLAN supported: 1000 STP (802.1D), Rapid-Spanning Tree (802.1w), MSTP (802.1s) VTP/802.1ak or equivalent for registration/configuration of multiple VLANs LACP (IEEE 802.3ad) or equivalent for port-based redundancy LLDP (802.1AB), At least 1024 ARP entries.

1.6 Security features: IEEE 802.1x, RADIUS, TACACS+, Port-based (at least 256 ingress & 256 egress) & VLAN-based (at least 256 ingress & 256 egress) ACLs for IPv4 as well as IPv6 MAC based security on per port.

1.7 Management: SSHv2, as well as Web/HTTP/HTTPS (GUI) based management. SNMP v1, v2 and v3.

1.8 <u>QoS</u>: 802.1p QoS/CoS and Classification based on IP address, MAC address, VLAN, TCP/UDP port number.

1.9 <u>Console Port</u>: Required

2. Bidders must provide Make and Unique Model/ Part code of the quoted items otherwise their offers will be rejected. Technical datasheets/brochures must be submitted by the bidders.

3. Five (5) years of warranty from the date of delivery must be provided for the items.

4. Items must be delivered in good condition. Broken or damaged items must be replaced immediately.

5. **<u>Installation & Commissioning:</u>**

The seller must demonstrate at least the following features during the I&C:

5.1 STP Configuration

5.2 Management port/service configuration

5.3 SFP testing using uplink from switches of different OEMs. The L1 bidder must particularly demonstrate the communication with 10G uplink from Juniper QFX 5110 series switch.

5.4 TACACS+ configuration

5.5 SNMP configuration

5.6 Documentation of all testing performed including troubleshooting commands.

6. Bidders other than OEM, must submit valid dealership / authorization certificate from the OEM along with their offer.

(II) **<u>Terms of delivery:</u>** Bidder must quote all-inclusive F.O.R. Destination price (including cost of loading/unloading).

(III) No price should be uploaded in the Technical Bid submitted by the bidders. In case any price is found mentioned / uploaded in the technical bid, the offer will be rejected straightway.

(IV) **<u>FINANCIAL BID REJECTION CRITERIA:</u>**

(a) Annual Financial Turnover of the bidder from Operations during any of preceding 03 (three) financial / accounting years from the original bid closing date should be **<u>at least ₹ 44,73,350.00 (Rupees Forty Four Lakhs Seventy Three Thousand Three Hundred Fifty only),</u>** as per the Audited Annual Reports.

Annual Financial Turnover of the bidder from operations shall mean - "**Aggregate value of the realization of amount made from the sale, supply or distribution of goods or on account of services rendered, or both, by the company (bidder) during a financial year**" as per the Companies Act, 2013 Section 2 (91).

(b**) The Net Worth of the bidder must be positive for the accounting year preceding the original bid closing date.**

Net worth shall mean: "Share capital + Reserves created out of profits and securities Premium - Aggregate value of accumulated losses (excluding revaluation reserves) - deferred expenditure - Miscellaneous Expenditure to the extent not written off and carried forward Loss - Reserves created out of write back of depreciation and amalgamation".

Note -For (a) & (b): Considering the time required for preparation of Financial Statements, if the last date of preceding financial/accounting year falls within the preceding six months/within the due date for furnishing of audit report as per Section 139(1) of IT Act, 1961 (read along with latest circulars/notifications issued by CBDT from time to time) reckoned from the original bid closing date and the Financial Statements of the preceding financial/accounting year are not available with the bidder, then the financial turnover of the previous three financial /accounting years excluding the preceding financial/accounting year will be considered. In such cases, the Net worth of the previous financial/accounting year excluding the preceding financial/accounting year will be considered. However, the bidder has to submit an affidavit/undertaking certifying that '**the balance sheet/Financial Statements for the financial year .... (*As the case may be*) has actually not been audited as on the original bid closing date**'.

Notes:

(a) For proof of Annual Turnover & Net worth any one of the following document must be submitted along with the bid:-

(i) A certificate issued by a practicing Chartered Cost Accountant (with Membership Number and Firm Registration Number), certifying the Annual turnover & Net worth as per format prescribed in ANNEXURE-J.

(OR)

(ii) Audited Balance Sheet along with Profit & Loss account."

(b) In case the bidder is a Central Govt. Organization/PSU/State Govt. Organization/Semi-State Govt. Organization or any other Central/State Govt. Undertaking, where the auditor is appointed only after the approval of Comptroller and Auditor General of India and the Central Government, their certificates may be accepted even though FRN is not available. However, bidder to provide documentary evidence for the same.

ANNEXURE- J

CERTIFICATE OF ANNUAL TURNOVER & NET WORTH

(TO BE ISSUED BY PRACTISING **CHARTERED ACCOUNTANTS' FIRM** ON THEIR LETTER HEAD)

TO WHOM IT MAY CONCERN

This is to certify that the following financial positions extracted from the audited financial statements of M/s.. (Name of the Bidder) for the last three (3) completed accounting years up to................. **(As the case may be)** are correct.

YEAR	**TURN OVER** In (₹) Crores	**NET WORTH** In (₹) Crores

Place:

Date:

Seal:

Membership No.:

Registration Code:

(V) **Banning Policy**: Banning Policy dated 6th January, 2017 as uploaded in OIL's website and revised guidelines of banning/debarment vide OM no. F.1/20/2018-PPD dated 02.11.2021 issued by Department of Expenditure, Ministry of Finance, Govt of India will be applicable against the tender (and order in case of award) to deal with any agency (bidder/contractor/supplier/vendor/service provider) who commits deception, default, fraud or indulged in other misconduct of whatsoever nature in the tendering process and/or order execution processes. The bidders who are on Holiday/Banning/Suspension list of OIL 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. If the bidding documents were issued inadvertently/downloaded from website, the offers submitted by such bidders shall also not be considered for bid opening/evaluation/Award of Work.

(VI) **Tax Collectible at Source (TCS):** Tax Collectible at Source (TCS) applicable under the Income-tax Law and charged by the SUPPLIER shall also be payable by OIL along with consideration for procurement of goods/materials/equipment. If TCS is collected by the SUPPLIER, a TCS certificate in prescribed Form shall be issued by the SUPPLIER to OIL within the statutory time limit.

Payment towards applicable TCS u/s 206C (IH) of Income Tax Act,1961 will be made to the supplier provided they are claiming it in their invoice and on submission of following undertaking along with the invoice stating that:

a. TCS is applicable on supply of goods invoiced to OIL as turnover of the supplier in previous year was more than Rs. 10 Cr. &

b. Total supply of goods to OIL in FY ... exceeds Rs. 50 Lakh &

c. TCS as charged in the invoice has already been deposited (duly indicating the details such as challan No. and date) or would be deposited with Exchequer on or before the due date and

d. TCS certificate as provided in the Income Tax Act will be issued to OIL in time. However, Performance Security deposit will be released only after the TCS certificate for the amount of tax collected, is provided to OIL. Supplier will extend the performance bank guarantee (PBG), wherever required, till the receipt of TCS certificate or else the same will be forfeited to the extent of amount of TCS, if all other conditions of Purchase order are fulfilled. The above payment condition is applicable only for release of TCS amount charged by supplier u/s 206C (IH) of Income tax Act, 1961.

AMENDMENT NO. 1 DATED 28-09-2022

Bidders to note the below amendments to the following terms and conditions of ATC and quote accordingly:

Existing Clause	Amended Clause
(I) TERMS AND CONDITIONS **1.6** Security features: IEEE 802.1x, RADIUS, TACACS+, Port-based (at least 256 ingress & 256 egress) & VLAN-based (at least 256 ingress & 256 egress) ACLs for IPv4 as well as IPv6 MAC based security on per port.	**(I) TERMS AND CONDITIONS** **1.6** Security features: IEEE 802.1x, RADIUS, TACACS+, Port-based & VLAN-based ACLs for IPv4 as well as IPv6 MAC based security on per port.
(I) TERMS AND CONDITIONS: **1.5** Layer 2 feature: 802.1Q VLAN tagging with minimum number of VLAN supported: 1000 STP (802.1D), Rapid-Spanning Tree (802.1w), MSTP (802.1s) VTP/802.1ak or equivalent for registration/configuration of multiple VLANs LACP (IEEE 802.3ad) or equivalent for port-based redundancy LLDP (802.1AB), At least 1024 ARP entries.	**(I) TERMS AND CONDITIONS:** **1.5** Layer 2 feature: 802.1Q VLAN tagging with minimum number of VLAN supported: 1000 STP (802.1D), Rapid-Spanning Tree (802.1w), MSTP (802.1s) VTP/802.1ak or equivalent for registration/configuration of multiple VLANs LACP (IEEE 802.3ad) or equivalent for port-based redundancy LLDP (802.1AB), At least 500 ARP entries.

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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 document shall overwrite all previous versions of Bid Specific Additional Terms and Conditions.

This Bid is also governed by the General Terms and Conditions