

RITES Ltd/Contract Policy Cell/Gurgaon

E-Tendering- Tender and Contract Document for works, July -2019

Correction Slip No. - 4

1. The earlier issued Correction Slip No.1 dated 03.09.2019 shall be ignored.

The first line of sub-clause 12.8 in Section-1 may be deleted and read as below. The balance four lines remain unchanged.

The bids will be evaluated for qualification criteria as mentioned in Clause 2 hereinbefore and also in conjunction with provisions of sub-clause 12.15. A new Sub-Clause 12.15 in Section-1 may be inserted as under:

12.15

In order to give effect to the policy of Government of India to encourage 'Make in India, price preference shall be accorded to Local Supplier/ Bidder in accordance with Order No. No. P-45021/2/2017-PP (BE-II) dated 04.06.2020 on Public Procurement (Preference to Make in India) Order 2017 as amended upto date of the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry. RITES Ltd being a CPSU adopted the guidelines given in the above-mentioned Order dated 04.06.2020 and the following shall be applicable in this tender:

1. **Definitions:**

'Local content' means the amount of value added in India which shall be the total value of the item procured (excluding net domestic indirect taxes) minus the value of imported content in the item (including all customs duties) as a proportion of the total value, in percent.


'Class-I local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 50%, as defined under this clause.

'Class-II local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content more than 20% but less than 50%, as defined under this clause.

'Non - Local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content less than or equal to 20%, as defined under this clause.

'LI ' means the lowest tender or lowest bid or the lowest quotation received in a tender, bidding process or other procurement solicitation as adjudged in the evaluation process as per the tender or other procurement solicitation.

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'Margin of purchase preference' means the maximum extent to which the price quoted by a "Class-I local supplier" may be above the L1 for the purpose of purchase preference.

'Procuring entity' means RITES Ltd

'Works ' means all works covered in the scope of work in this tender.

2. **Eligible bidder in this tender: *'Class-I local supplier'/ 'Class-II local supplier'/ 'Non-local suppliers**

* (strike out whichever is not applicable).

3. **Purchase Preference**

(a) In the procurements of goods or works which are divisible in nature, the 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per following procedure:

- i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract for full quantity will be awarded to L1.
- ii. If L1 bid is not a 'Class-I local supplier', 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the 'Class-I local supplier' will be invited to match the L1 price for the remaining 50% quantity subject to the class-I local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such 'Class-I local supplier' subject to matching the L1 price. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price or accepts less than the offered quantity, the next higher 'Class-I local supplier' within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and so on, and contract shall be awarded accordingly. In case some quantity is still left uncovered on Class-I local suppliers, then such balance quantity may also be ordered on the L1 bidder.

(b) In the procurements of goods or works which are not divisible in nature, and in procurement of services where the bid is evaluated on price alone, the 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per following procedure:

- i) Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract will be awarded to L1.

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ii) If L1 is not 'Class-I local supplier', the lowest bidder among the 'Class-I local supplier', will be invited to match the L1 price subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.

iii) In case such lowest eligible 'Class-I local supplier' fails to match the L1 price, the 'Class-I local supplier' with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly. In case none of the 'Class-I local supplier' within the margin of purchase preference matches the L1 price, the contract may be awarded to the L1 bidder.

(c) "Class-II local supplier" will not get purchase preference in any procurement, undertaken by procuring entity.

4. **Applicability of Purchase preference** in this tender as per Para: *3(a)/3(b)

*(strike out whichever is not applicable)

5. **Type of this Tender/Work:** *Goods/ services/ works

*(strike out whichever is not applicable).

6. **Margin of Purchase Preference:** The margin of purchase preference shall be 20%.

7. **The minimum local content for this tender shall be*** _____

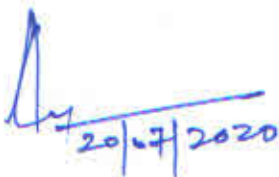
*(Fill the value of minimum local content)

8. Verification of local content:

a. The 'Class-I local supplier'/'Class-II local supplier' at the time of tender, bidding or solicitation shall be required to indicate percentage of local content and provide self-certification that the item offered meets the local content requirement for 'Class-I local supplier'/'Class-II local supplier', as the case may be. They shall also give details of the location(s) at which the local value addition is made.

b. In cases of procurement for a **value in excess of Rs. 10 crores**, the 'Class-I local supplier'/'Class-II local supplier' shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.

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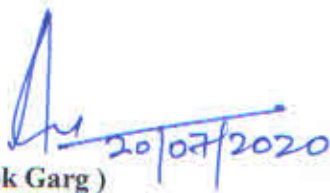

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- c. In case of false declaration by Class-I local supplier/ Class-II local supplier or submission of false certificate, Banning of Business Dealings shall be done with defaulter as per the Guidelines given in Sub-clause 11.2B.
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No. RITES/CO/CPC/T&CD/Correction Slip No. 4 (E-Tendering)

Dt: 20.07.2020

The above correction to Tender and Contract Documents for works (E-Tendering-July 2019) is issued with approval of the competent Authority.



20/07/2020

(Alok Garg)

ED(HW&P) ~~and Head~~ Contract Policy Cell

Copy By Mail to: -

1. CMD, DP, DT, DF & CVO
2. All Divisional Heads & SBU Heads
3. AGM/IT for uploading on RITES website : Tender/RITES/GCC/Tender & Contract Documents for E-Tendering-July 2019 (Correction Slip-4)