



**Dr. Ram Manohar Lohia Institute of Medical Sciences,**  
Vibhuti Khand, Gomti Nagar, Lucknow - 226010 (UP)  
Phone: 0522-4918511 & 4918504, Fax: 0522-4918506  
Website: [www.drrmlims.ac.in](http://www.drrmlims.ac.in), E-mail: [directordrrmlims@gmail.com](mailto:directordrrmlims@gmail.com)

### **Request for Proposal (RFP)**

E-Bids are invited in two bid system (Part-1 Technical Bid & Part-2 Financial Bid) for Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.

**Bid Ref no.: 3396/RMLIMS/C/2021**

**dated:- 02.12.2021**

#### **Critical dates**

Sl.	Particulars	Date	Time
1	Publishing date & time	04.12.2021	09.00 AM
2	Bid submission start date & time	04.12.2021	09.00 AM Onwards
3	Bid submission last date & time	20.12.2021	04:00 PM
4	Bid opening date & time	21.12.2021	11:30 AM

**Place of Opening E-Bids** : Dr. Ram Manohar Lohia Institute of Medical Sciences,  
Vibhuti Khand, Gomti Nagar, Lucknow - 226010 (UP)  
Phone: 0522-4918504 & 4918511, Fax: 0522-4918506  
Website: [www.drrmlims.ac.in](http://www.drrmlims.ac.in),  
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**This Document Contains – 23 Pages**



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E-Bid Ref No:- 3396/RMLIMS/C/2021

dated:- 02.12.2021

**Re E-Bid Notice**

Re E-Bids are invited from primary manufacturers or authorized distributors/ dealers for Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon dioxide, through Rate contract at the Dr. RMLIMS, Lucknow. E-bid by the advertisement no.- 2141/RMLIMS/C/2021 dated 15.09.2021 (I<sup>st</sup> time) and advertisement no.- 2709/RMLIMS/C/2021 dated 20.10.2021 (II<sup>nd</sup> time) has been cancelled. Therefore, those who have already submitted their offers against advertisement no.- 2141/RMLIMS/C/2021 dated 15.09.2021 and advertisement no.- 2709/RMLIMS/C/2021 dated 20.10.2021 are also required to submit again their fresh offer with proof of previous deposit of EMD, as they are not required to deposit EMD again, but they are required to deposit tender document cost. New bidders are required to deposit EMD and tender document cost both. All bidders are required to give EMD and tender document cost detail in the technical bid.

E-Bids can be submitted from date 04.12.2021 to 20.12.2021 & will be opened on date 21.12.2021. The details of submission of E-Bids are available in the E-Bid document uploaded on ***E-tender portal*** <http://etender.up.nic.in> and ***website*** [www.drrmlims.ac.in](http://www.drrmlims.ac.in). The Director reserves the right to cancel any or all E-Bids or annul the bidding process without assigning any reason thereof.

Director



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## **Section I: Letter of Invitation**

1. Through this Request for Proposal (RFP), it is intended to invite E-Bids from primary manufacturers or authorized distributors/dealers for Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.
2. Bidders are advised to study the E-Bid document carefully.
3. Submission of E-Bids against this tender shall be deemed to have been done after careful study and examination of the procedures, terms and conditions of the E-Bid document with full understanding and its implications.
4. E-Bid document is available on E-tender portal <http://etender.up.nic.in> and also on Dr. RMLIMS, Lucknow website [www.drrmlims.ac.in](http://www.drrmlims.ac.in). Interested Bidders may view, download the E-Bid document, seek clarification and submit these E-Bids online only on E-tender portal <http://etender.up.nic.in>, up to the date and time mentioned in the table below:-

E-Bid Reference No.	<b>3396/RMLIMS/C/2021dated:- 02.12.2021</b>
Purpose	Supply of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.
Date of Publication of E-Bid notice	04.12.2021 on E-tender portal <a href="https://etender.up.nic.in">https://etender.up.nic.in</a> and website of Dr. RMLIMS, Lucknow - <a href="http://www.drrmlims.ac.in">www.drrmlims.ac.in</a>
Last date for submission of E-Bids	20.12.2021 up to 04:00 P.M.
Site for submission of E-Bid	<a href="https://etender.up.nic.in">https://etender.up.nic.in</a>
Web site address	<a href="http://www.drrmlims.ac.in">www.drrmlims.ac.in</a>
E-mail address	<a href="mailto:directordrrmlims@gmail.in">directordrrmlims@gmail.in</a>
E-Bid Inviting authority	The Director
Date of opening of E-Bids	21.12.2021 at 11:30 AM
Venue of Opening of E-Bids	Dr.RMLIMS, Gomti Nagar, Lucknow.
Contact numbers	Phone: 0522-4918504 & 4918511
Fax number	Fax: 0522-4918506

5. All required documents must be uploaded by the Bidders electronically in the PDF format. It is suggested that the PDF files should be made in grayscale using the minimum readable appropriate resolution so that the size of the files is minimized for fast uploading on the E-Bid portal <http://etender.up.nic.in>. The required electronic documents for each document label of Technical (Fee details, Annexure etc.) schedules/packets can be clubbed together to make single different files for each label. The size of single label file should not exceed 20-25 MB size.
6. If opening date of E-Bids is observed as holiday, the next working day will be treated as opening day.
7. Director reserves the right to cancel any or all the E-Bids or annul the E-Bid process without assigning any reason thereof.



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## **Section II: Instructions to bidders (ITB)**

### **1. DEFINITIONS**

In this Context, the following terms shall be interpreted:

- “The Institute means Dr. Ram Manohar Lohia Institute of Medical Sciences, Lucknow
- “E-Bid” means the Technical proposal and the financial proposal.
- General terms & condition which explains the objectives, activities, tasks to be performed, and expected results and deliverables of the assignments, respective responsibilities of the Bidder.

### **2. THE BIDDING DOCUMENT**

This E-tender document is available on the E-tender portal <http://etender.up.nic.in> and Dr. RMLIMS, Lucknow website [www.drrmlims.ac.in](http://www.drrmlims.ac.in) to enable the Bidders to view and download the Bidding document, submit their E-Bids online up to the last date and time mentioned in E-tender document only on E-Bid portal <http://etender.up.nic.in>.

### **3. CONTENTS OF E-BID DOCUMENT**

The nature and types of work, Bidding procedure, terms and conditions etc. are prescribed in the E-Bid document. The E-Bid document includes:

- Letter of invitation.
- Instructions to bidders (ITB).
- Instruction for technical bid and financial bid, General terms & conditions etc.
- Technical proposal submission form / Technical Bid (Format - A).
- Affidavits (Format - B, C & D).
- Financial bid submission form / Financial Bid (Format - E).

The Bidders are expected to examine all the instructions, forms, terms and conditions, requirements and qualifications in the E-tender documents. Failure to furnish all the information required as per the Bidding documents or submission of an E-Bid not responsive to the E-tender document in every respect will be at the Bidder's risk and may result in the rejection of his E-Bid.

### **4. CLARIFICATIONS OF E-TENDER DOCUMENTS**

A prospective Bidder requiring any clarification of the E-tender documents may raise his point of clarification to NIC E-mail [support-eproc@nic.in](mailto:support-eproc@nic.in), (M) 8826246593, (O) 0120-4200462, 0120-4001002, 0120-4001005.



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### **5. AMENDMENT OF E-TENDER DOCUMENT**

At any time prior to the deadline for submission of E-Bids, the Institute may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, modify the E-tender document by amendments. Such amendments shall be posted/uploaded on the E-tender portal <http://etender.up.nic.in> through corrigendum and shall form an integral part of the E-Bid documents. The relevant clauses of the E-tender documents shall be treated as amended accordingly.

It shall be the sole responsibility of the prospective Bidders to check the E-tender portal <http://etender.up.nic.in> and [www.drrmlims.ac.in](http://www.drrmlims.ac.in) from time to time for any amendment in the E-Bid document. In case of failure to get the amendments, if any, the Institute shall not be responsible for any negligence on part of the Bidder.

In order to allow prospective Bidders a reasonable time to take the amendment into account in preparing their E-Bids, the Institute at its discretion, may extend the deadline for the submission of E-Bids. Such extensions shall be posted/up-loaded on the E-tender portal <http://etender.up.nic.in>.

### **6. PREPARATION & SUBMISSION OF E-Bids**

#### **• Documents Constituting E-Bid**

E-Bids prepared by the Bidder shall comprise the following components:

- a) Technical proposal submission Form/ Technical Bid – (Format-A).
- b) Financial proposal submission Form/ Financial Bid – (Format-E).

#### **• Documents Establishing Bidder's Qualification**

The Bidder shall furnish, as of Technical Proposal, documents establishing the qualification to perform the Contract. The documentary evidence in support of the information furnished should be submitted by the Bidder electronically in the PDF format.

### **7. FORMAT AND SIGNING OF E-BIDS**

The Bidder shall prepare one electronic copy for the E-Bids. All pages/ documents of E-Bid shall also be signed manually by the person authorized to sign E-Bids before converting them into PDF and uploading them as bidding documents.

### **8. SUBMISSION OF E-BIDS**

The E-Bid Submission module of E-tender portal <http://etender.up.nic.in> enables the Bidders to submit the E-Bid online against the E-tender published by the Institute. Bid Submission can be done only from the Bid Submission start date and time till the E-Bid Submission end date and time given in the E-Bid. Bidders should start the Bid Submission process well in advance so that they can submit their E-Bid in time. The Bidders should submit



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their Bids considering the server time displayed in the E-tender portal. This server time is the time by which the Bid submission activity will be allowed till the permissible time on the last/end date of submission indicated in the E-tender schedule. Once the Bid submission date and time is over, the Bidders cannot submit their E-Bid. For delay in submission of E-Bids due to any reasons, the Bidders shall only be held responsible.

The Bidders have to follow the following instructions for submission of their E-Bids:

For participating in E-tender through the E-Bidding system, it is necessary for the Bidders to be the registered users of the E-tender portal <http://etender.up.nic.in>.

In addition to the normal registration, the Bidder has to register with his/her Digital Signature Certificate (DSC) in the E-Bidding system and subsequently he/she will be allowed to carry out his/her E-Bids submission activities. Registering the Digital Signature Certificate (DSC) is a onetime activity till its validity. Before proceeding to register his/her DSC, the Bidder should first log on to the E-Bidding system using the User Login option on the home page with the Login Id and Password with which he/ she has registered as enumerated in the preceding paragraph above.

For successful registration of DSC on e-Procurement portal <http://etender.up.nic.in> the Bidder must ensure that he / she should possess Class-2 / Class-3 DSC issued by any one of certifying authorities approved by Controller of Certifying Authorities, Government of India. The Bidder may also apply to office of U.P. Electronics Corporation Limited, for getting DSC on a prescribed form available at UPLC's website [www.uplc.in](http://www.uplc.in) along with the payment of required fee per person including GST, the Bidder is also advised to register his / her DSC on E-tender portal well in advance before Bid submission end date so that he / she should not face any difficulties while submitting his / her E-Bid against E-tender. The Bidder can perform User Login registration / creation and DSC registration exercise as described in preceding paragraphs above even before E-Bid submission date starts. The Institute shall not be held responsible if the Bidder tries to submit his / her E-Bids at the last moment before end date of submission but could not submit due to DSC registration or any other technical problems.

The Bidder can search for active Bids through "Search Active Bids" link, select a Bid in which he/she is interested in and then move it to 'My Bids' folder using the options available in the E-Bid Submission menu. After selecting and viewing the Bid, for which the Bidder intends to E-Bid, from "My Bids" folder, the Bidder can place his/her Bid by clicking "Pay Offline" option available at the end of the view Bid details form. Before this, the Bidder should download the Bid document and study hem carefully. The Bidder should keep all the documents ready as per the requirements of E-Bid document in the PDF format.





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After clicking the 'Pay Offline' option, the Bidder will be redirected to the Terms and Conditions page. The Bidder should read the Terms & Conditions before proceeding to fill in the Processing Fee offline payment details. After entering and saving the Processing fee details, the Bidder should click "Encrypt & Upload" option given in the offline payment details form so that "Bid Document Preparation and Submission" window appears to upload the required documents format for submission of Technical proposal (Format-A) of this E-tender document. The details of the Demand Draft or any other accepted instrument which is to be physically sent in original before Bid submission and date and time, should tally with the details available in the scanned copy and the data entered during E-Bid submission time otherwise the E-Bid submitted will not be accepted.

Before uploading, the Bidder has to select the relevant Digital Signature Certificate. He may be prompted to enter the Digital Signature Certificate password, if necessary. For uploading, the Bidder should click "Browse" button against each document label in Technical schedules/packets and then upload the relevant PDF files already prepared and stored in the Bidder's computer. The required documents for each document label of Technical Schedules/packets can be clubbed together to make single different files for each label.

The Bidder should click "Encrypt" next for successfully encrypting and uploading of required documents. During the above process, the Bid documents are digitally signed using the DSC of the Bidder and then the documents are encrypted/locked electronically with the DSC's of the Bid openers to ensure that the Bid documents are protected, stored and opened by concerned Bid openers only.

After successful submission of E-Bids, a page giving the summary of E-Bid submission will be displayed confirming end of E-Bid submission process. The Bidder can take a printout of the Bid summary using the "Print" option available in the window as an acknowledgement for future reference.

### **9. DEADLINE FOR SUBMISSION OF E-BIDS**

- E-Bids must be submitted by the Bidders on E-tender portal <http://etender.up.nic.in>, not later than the date and time specified in this E-tender document.
- The Institute may extend this deadline for submission of E-Bids by amending the E-tender document, in which case all rights and obligations of the Institute and Bidders previously subject to the deadline will thereafter be subject to the deadline as extended.
- Institute shall not consider any request for date-extension for E-Bid-submission on account of late downloading of E-tender (RFP) by any prospective Bidder. E-Bids should be uploaded on E-tender portal <http://etender.up.nic.in> on or before **04:00 P.M. of 20.12.2021**.





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### **10. LATE E-BIDS**

The server time indicated in the Bid Management window on the E-tender portal <http://etender.up.nic.in> will be the time by which the E-Bids submission activity will be allowed till the permissible date and time scheduled in the E-tender. Once the E-Bids submission date and time is over, the Bidder cannot submit his/ her Bid. Bidder has to start the E-Bid Submission well in advance so that the submission process passes off smoothly. The Bidder only, will be held responsible if his/ her E-Bids are not submitted in time due to any reasons.

### **11. WITHDRAWAL AND RESUBMISSION OF E-BIDS**

At any point of time, a Bidder can withdraw his/ her E-Bids submitted online before the E-Bids submission end date and time. For withdrawing, the Bidder should first log in using his/ her Login Id and Password and subsequently by his/ her Digital Signature Certificate on the e-procurement portal <http://etender.up.nic.in>. The Bidder should then select "My Bids" option in the Bid Submission menu. The page listing all the Bids submitted by the Bidder will be displayed. Click "View" to see the details of the Bid to be withdrawn. After selecting the "Bid Withdrawal" option, the Bidder has to click "Yes" to the message "Do you want to withdraw this Bid?" displayed in the Bid Information window for the selected Bid. The Bidder also has to enter the Bid Withdrawing reasons and upload the letter giving the reasons for withdrawing before clicking the "Submit" button. The Bidder has to confirm again by pressing "Ok" button before finally withdrawing his/ her selected Bid. Once the Bidder has withdrawn his /her Bid he/she cannot re-submit this Bid again.

The Bidder can resubmit his/ her E-Bids as and when required till the Bid submission end date and time. The E-Bids submitted earlier will be replaced by the new one. The payment made by the Bidder earlier will be used for revised E-Bids and the new Bid submission summary generated after the successful submission of the revised E-Bids will be considered for evaluation purposes. For resubmission, the Bidder should first log in using his/ her Login ID and Password and subsequently by his/ her Digital Signature Certificate on the e-procurement portal <http://etender.up.nic.in>. The Bidder should then select "My Bids" option in the Bid Submission menu. The page listing all the Bids submitted by the Bidder will be displayed. Click "View" to see the details of the Bid to be resubmitted. After selecting the "Bid Resubmission" option, click "Encrypt & Upload" to upload the revised E-Bids documents by following the methodology provided in clauses 09 above.

The Bidders can submit their revised Bids as many times as possible by uploading their E-Bids documents within the scheduled date & time for submission of E-Bids.

No E-Bids can be resubmitted subsequently after the deadline for submission of E-Bids.



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## **12. RECEIPT AND OPENING OF E-BIDS**

Bidders are advised to submit their E-Bids in 'Two-Bid' system with Technical and Financial bids separately on E-tender portal.

Please note that prices should not be quoted in the Technical Bid. The Prices should be quoted in the Financial Bid only. On receipt on E-tender portal, the technical proposals will be opened first by the Committee members.

The Institute will open all E-Bids, in the presence of bidder's authorized representatives who choose to attend at **11:30 AM on 21.12.2021**. The bidder's representatives who are present shall sign a register evidencing their attendance. In the event of the specified date of E-Bid opening being declared a holiday for the Purchaser, the E-Bids shall be opened at the appointed time and place on the next working day. The bidder's names and the presence and other details as the Purchaser at its discretion may consider appropriate, will be announced at the opening. The name of such bidders not meeting the qualification requirement shall be notified subsequently.

After evaluation of technical E-Bids, the Institute shall notify those bidders whose E-Bids were considered non-responsive to the Conditions of the Contract and not meeting the Qualification Requirements indicating that they did not technically qualify. The Institute will simultaneously notify the bidders, whose technical E-Bids were considered acceptable and they have been short listed for opening of their financial E-Bids.

*Note:- Bidder shall be required to use his own Digital Signature while uploading its Bid. In case of consortium, Prime Bidder shall be required to upload the bid using its Digital Signature. Failure to comply or usage of Digital Signature of other firm shall be liable for rejection of Bid.*



### **Section III**

#### **GENERAL TERMS AND CONDITIONS:-**

1. The tenderer should be manufacturer or his authorized distributor/dealer appointed directly by the manufacturer. The authorization certificate, to participate in this tender, from the manufacturer (in case of distributors/ dealers) should be submitted with technical bid.
2. (a) Tenderer should have experience of successfully completed **similar supply work** in government/ public sector hospitals, during last 7 years ending previous day of last date of submission of tenders, as mentioned bellow-

- **Three similar** completed works, costing not less than the amount equal to 40% of the annual estimated cost Rs. 10.00 lacs. (Means three similar completed works, each costing not less than Rs. 4.00 lacs.)

**or**

- **Two similar** completed works costing not less than the amount equal to 60% of the annual estimated cost Rs. 10.00 lacs. (Means two similar completed works, each costing not less than Rs. 6.00 lacs.)

**or**

- **One similar** completed work costing not less than the amount equal to 80% of the annual estimated cost Rs. 10.00 lacs. (Means one similar completed work, costing not less than Rs. 8.00 lacs.)

(Documentary proof for the experience, showing-

- i. Detail of order/ agreement.
  - ii. Cost of the completed supply work against order/ agreement.
  - iii. Satisfactory supply work certificate, issued by the hospital.
- Should be attached with technical bid.)

Note- MSME & Start Ups are exempted from experience.

- (b) Estimated annual value of the work- Rs. 10 lacs. (approx.).

3. The Tenderer should have proper license issued by Explosive Department and drug license, copy should be submitted with technical bid.
4. The tenderer should have minimum average annual turnover of Rs. 10.00 lacs (ten lacs), in last three consecutive years. (F.Y. 2018-19, 2019-20 & 2020-21).  
(Note- MSME & Start Ups are exempted from turnover.)
5. Tenderer should submit, with technical bid, the copy of balance sheets for last three financial years duly certified by the chartered accountant, showing turnover.
6. Income tax return paper for the last three financial years. Copies should be submitted, with technical bid, along with TAN/PAN No.



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7. Affidavits on attached formats (Format-B, Format-C & Format-D) should be submitted with technical bid.
8. Copy of Tax registration (GST etc.) should be submitted with technical bid.
9. In case the successful Tenderer fails to supply the gas by the due date of supply, Institute will levy a penalty as under.
  - a. After 24 hours up to 48 hours @0.5% of the value of the supply.
  - b. After 48 hours @ 1% per day up to 10% of the value of the supply.
10. If the successful tenderer fails to supply in time and due to this failure, the Institute arrange supply by any other supplier in emergency, on higher rate, then the excess cost, will be deducted from successful tenderer, in addition to the late penalty charges.
11. The supply is liable to be tested under-Gas/Cylinder Rules 1981 and rules made thereafter as amended time to time. If supplies are found sub-standard, no payment will be made even if the supplied store has been consumed in good faith and this fact will be notified to the chief Controller of Explosives of India for taking necessary action and with his permission only the successful tenderer will be asked to remove the remaining supplies of sub- standard items.
12. As far as possible, Supply should be delivered in office hours for the convenience.
13. Supply may be inspected by the officer Incharge, Medical Gases. Officer Incharge reserve the right to Reject/Replace the supply, if any default is found in any supply.
14. The approximate annual quantity given in tender document may be increased or decreased. Annual approximate value of the work is Rs. 10.00 lacs.
15. The Successful Tenderer has to supply as per the schedule which would be mentioned in the order, may be intimated through speed post/courier/Fax/E-Mail/telephone from time to time as per institute requirement.
16. Quantity to be supplied by the successful Tenderer will depend upon requirement of The Institute.
17. Quality Standards must be maintained by the successful tenderer.
18. In case the Successful Tenderer fails in fulfilling the obligations fully and in time, the Institute shall have the absolute right to take up the work at the Successful Tenderer's cost and risk and recover all such expenses from the amount due to the Successful Tenderer including their Security Deposit.
19. All letters posted to the Successful Tenderer on the address given by him will be considered to have been delivered to him.



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20. If it is observed at any stage that the supply is not satisfactory, the contract may be terminated and the security deposit may also be forfeited. The successful Tenderer will have no claims what so ever on the Institute.
21. Successful Tenderer will be fully responsible for any accident or mishap involving workers engaged by him and any claim made on this part will be paid by the Successful tenderer. The Successful tenderer shall indemnify the Institute from any claims arising out of accidents or mishaps, disabilities of any nature or death, or arising out of provisions under law or of any other nature in respect of all workers engaged by Successful Tenderer.
22. The Successful Tenderer shall be liable to pay compensation for any loss and damage to the property of the Institute or the patients caused by the Successful tenderer or his workers.
23. The Director of the Institute or any officer authorized by him may review or ascertain and enforce due and proper observance of the laws and rules and regulations. He may investigate into any complaint regarding default in terms and conditions made by the tenderer in regard to such provisions.
24. No party shall be allowed to be represented by lawyer during any investigation, enquiry appeal or any other proceeding.
25. Terms and conditions of the contract may be slightly modified by mutual consent between Institute and successful Tenderer as and when necessary, without affecting the basic nature of this Tender.
26. Empty cylinders/ containers will be provided by the Institute to the supplier at the stores of the Institute (in Vibhoothi Khand, Gomti Nagar OR in sector-7, Gomti Nagar Vistar) and filled cylinders/ vessels will be received by the Institute at the above stores. Loading/ unloading at store will be done by the successful tenderer.
27. The quantity of supplied items will be ensured by pressure/ weight/ volume. Standard rules will be followed. Methodology adopted for quantity and quality check must be elaborated by the bidder. The Institute may opt of same Methodology for quantity and quality check.
28. Officer Incharge reserves the right to Reject/ Replace the supply, if any default is found in any supply.
29. The Tender is non transferable.
30. The Technical and financial bids must be submitted in the prescribed format only. The Bids not submitted in prescribed format is liable to be rejected.
31. The Tenderer submitting his tender would be deemed to have and accepted all the terms and conditions of tender.
32. Authorized person shall sign the tender documents.



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33. The rates should be filled carefully. Rates should be mentioned in words as well as in figures.
34. Conditional tender shall be rejected.
35. The incomplete tender in any respect or not complying with the terms and conditions are liable to be summarily rejected.
36. Subletting of contract is strictly prohibited.
37. All the pages of the tender documents and supporting document, should be numbered & signed.
38. The tenderer will prepare the index which will include serial number, context of tender document & page numbers.
39. Only mandatory information and details are required to be provided with the tender document.
40. Only those tenderers who successfully qualify in the Technical Bid will be allowed to participate in financial bidding.
41. Tender shall be liable for rejection if.
  - Authenticity of the supporting documents found to be fabricated.
  - Tenderers, trying to influence any official of the Institute in any manner.
  - Tenderers, who fail to deposit Earnest Money and Tender document cost.
  - Tenderers, who fail to submit the required information/document along with the tender.
  - Tender is found to be conditional.
42. Financial Bid should contain the contractor's/firm's quoted rates in the given format.
43. Tenders submitted shall remain valid for 90 days from the date of opening of the tender, Validity beyond 90 days from the date of opening shall be by mutual consent.
44. Conditional bids are not acceptable. No price hike or escalation will be allowed during the period (03 years). However in case of increase or decrease in taxes rate (GST etc.), the same will be considered for payment subject to claim & production of documentary evidence.

### **VALIDITY OF TENDER:-**

The validity of the offer is 90 days from the date of opening of the Technical Bid. The Institute will forfeit the EMD in the event of withdrawal by the tenderer before the validity of the offer. extension in validity period beyond 90 days, shall be by mutual (Institute and bidders) consent.

### **COMMENCEMENT OF WORK:-**

The Successful Tenderer will start the supply as per need/direction of the institute.





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### **PERIOD OF CONTRACT:-**

The supply work will be awarded for the period of 03 years from the date of execution of Agreement on yearly renewal basis. Initially the contract shall be for a period of one year. Thereafter, the contract shall be renewed yearly, according to satisfactory performance of the firm. Each renewal of contract shall be made on the same rate, terms and conditions etc. on which initial Agreement is entered into. The successful tenderer can not stop supply without permission/consent of the Institute in period of 03 years. However, the Successful Tenderer has to continue the supply work for some time, even after the expiry of the contract period, till new arrangement is made by the Institute.

### **PAYMENT:-**

Payment for the supply shall be made to the Successful Tenderer on presentation of bill/invoice. TDS related with income tax, GST etc. as applicable will be deducted at source as per rules.

### **SECURITY DEPOSIT:-**

03% of the annual contract value shall be submitted by the Successful Tenderer as security deposit in the form of Bank Guarantee/ FDR of any nationalized/ scheduled bank in favour of Director Dr. RMLIMS, Lucknow for a period of 42 months within 15 (Fifteen) days from the receipt date of award letter issued by the Institute. The Institute shall be entitled to claim/adjust any due amount from the said security deposit.

### **SETTLEMENT OF DISPUTE AND ARBITRATION:-**

In the event of any dispute or difference between the parties relating or concerning to the interpretation of the contract or any alleged breach thereof or any matter relating to this contract, the same shall be settled by the parties as far as possible by mutual discussions and consultation between themselves. The dispute shall be so settled whether the same has arisen during the subsistence of this contract or thereafter.

In the event of any dispute or differences arising in connection with the Agreement whether during the subsistence of the contract or thereafter not being settled in aforesaid manner, the matter shall be referred to the Director/ competent authority for arbitration whose decision shall be final and binding on the parties. The proceedings before the arbitrator would be governed by the provisions of the ARBITRATION AND CONCILIATION ACT, 1996.

During the proceedings of any in house investigation of inquiry it shall not be open to either of the parties to be represented through a lawyer.

The Courts of Lucknow shall have exclusive jurisdiction in all matters arising out of the contract.

### **STAMP DUTY:-**

Stamp duty leviable on Agreement shall be borne by the Successful Tenderer.





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**TERMINATION OF AGREEMENT:-**

Institute may terminate/cancel the agreement on the following grounds;

**A-Breach** of any or all terms and conditions of agreement.

**B-Non-performance** or unsatisfactory performance of supply work.

**C-If** at any time document or information furnished with tender is found forged or fabricated during the subsistence of the agreement.

**EARNEST MONEY DEPOSIT (REFUNDABLE) AND PERFORMANCE & SECURITY DEPOSIT:-**

- i. EMD of Rs. 20000.00 (Rs. Twenty thousand only) payable by NEFT/RTGS in favour of The Director, Dr. RMLIMS, Lucknow should be deposited in A/c no.3926000100166659 of Punjab National Bank, Vivek khand, Gomti Nagar, Lucknow, IFSC code: PUNB0392600.
- ii. EMD of unsuccessful Bidders shall be returned after the award of the contract. But the EMD of successful Bidder will be refunded after submission of BG/FDR of the amount @ 03% of the annual contract value (as per tender), as performance & security deposit within the period of 15 days from the receipt date of award letter. Rules regarding EMD will be followed. No interest shall be paid on the EMD.

Note- MSME & Start Ups are exempted from EMD.

**TENDER DOCUMENT COST (NON-REFUNDABLE):-**

Tender document cost Rs. 600.00 (including GST 18%) payable by NEFT/RTGS in favour of The Director, Dr. RMLIMS, Lucknow should be deposited in A/c no. 3926000100166659 of Punjab National Bank, Vivek khand, Gomti Nagar, Lucknow IFSC code: PUNB0392600.

Note- MSME & Start Ups are exempted from tender documents cost.



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### **Instructions for - Technical Bid**

Technical Bid should be submitted on the attached **format-A**.

Required documents/ copies should be submitted, regarding information given/ required in **Technical bid**.

### **Instructions for - Financial Bid**

- a. Financial Bid should be submitted on the attached **format-E**.
- b. The tenderer should quote rate in figures as well as in words.
- c. The quantity (required in one year), given in tender document (Financial bid, Format-E) is approximate. This may increase or decrease (As per requirement of the Institute).



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### Section IV

#### **PART-1      TECHNICAL BID**

**format-A**

**Name of work-** Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.

S. No.	Particulars	Details
1	Name of the firm/ company with office address, Telephone no., E-mail etc.	
2	Name of the person with designation, who signed the tender document.	
3 (a)	<p>Tenderer should have experience of successfully completed <b>similar supply work</b> in government/ public sector hospitals, during last 7 years ending previous day of last date of submission of tenders, as mentioned bellow-</p> <ul style="list-style-type: none"><li>• <b>Three similar</b> completed works, costing not less than the amount equal to 40% of the annual estimated cost Rs. 10.00 lacs. (Means three similar completed works, each costing not less than Rs. 4.00 lacs.)</li></ul> <p style="text-align: center;"><b>or</b></p> <ul style="list-style-type: none"><li>• <b>Two similar</b> completed works costing not less than the amount equal to 60% of the annual estimated cost Rs. 10.00 lacs. (Means two similar completed works, each costing not less than Rs. 6.00 lacs.)</li></ul> <p style="text-align: center;"><b>or</b></p> <ul style="list-style-type: none"><li>• <b>One similar</b> completed work costing not less than the amount equal to 80% of the annual estimated cost Rs. 10.00 lacs. (Means one similar completed work, costing not less than Rs. 8.00 lacs.)</li></ul> <p>(Documentary proof for the experience, showing-</p> <ul style="list-style-type: none"><li>i. Detail of order/ agreement.</li><li>ii. Cost of the completed supply work against order/ agreement.</li><li>iii. Satisfactory supply work certificate, issued by the hospital. Should be attached.)</li></ul> <p>(Note- MSME &amp; Start Ups are exempted from experience)</p>	
3 (b)	Methodology adopted for quantity and quality check of tendered items.	
4	<p>Detail of tender document cost Rs. 600.00 including GST@18% (Note- MSME &amp; Start Ups are exempted from tender document cost)</p>	



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5	Detail of earnest money deposit Rs.20000.00 (Note- MSME & Start Ups are exempted from EMD)	
6	G S T No. (Copy of registration should be submitted.)	
7	PAN No. / TAN No. (Copy should be submitted.)	
8	Income tax return paper for last three years. (Copy should be submitted.)	
9	Balance sheets of last three years duly certified by the chartered accountant. (Copy should be attached, required minimum average annual turnover of Rs. 10.00 lacs (Rupees Ten lacs) in the last three consecutive years. (Note- MSME & Start Ups are exempted from turnover)	
10	An affidavit of declaration that income tax has been paid up to last financial year. Format-B (Affidavit should be submitted.)	
11	An affidavit duly certified by a Notary that the firm or company is not blacklisted. Format-C. (Affidavit should be submitted.)	
12	An affidavit duly certified by a Notary that the firm/company is not convicted OR punished by Hon'ble Court of Law Format-D. (Affidavit should be submitted.)	
13	Copy of authorization certificate, to participate in this tender, from primary manufacturer in case of tenderer is distributor/ dealer. (Copy should be submitted.)	
14	Location of Manufacturing unit.	
15	Copy of Explosive Department's License. (Copy should be submitted.) a.Issuing Authority b.Issue date	
16	Copy of Drug License. (Copy should be submitted.) a.Issuing Authority b.Issue date	
17	Any other technical related input, tenderer wishes to provide.	

Note: Documentary evidence for MSME and Start ups must be attached with technical bid.

Signature of the Tenderer  
 With address and seal



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**Format-B**

**Name of work-** Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.

**Affidavit  
(Certified by notary)**

I .....s/o.....resident of.....  
owner/Partner/Director of M/s.....having its registered office at.....  
.....do hereby solemnly affirm and declare the following;-  
That income tax of our firm/company has been paid upto the last financial year.

**Deponent**

**Verification**

Verified at.....on the .....date.....that the contents  
of the above affidavit are true and correct to the best of my knowledge and belief.

**Deponent**



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**Format-C**

**Name of work-** Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.

**Affidavit  
(Certified by notary)**

I .....s/o.....resident of.....  
owner/Partner/Director of M/s.....having its registered office at.....  
.....do hereby solemnly affirm and declare the following;-  
That our firm/company namely M/s .....is not black listed by any of our clients  
or by any government department.

**Deponent**

**Verification**

Verified at.....on the .....date.....that the contents  
of the above affidavit are true and correct to the best of my knowledge and belief.

**Deponent**



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**format-D**

**Name of work-** Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.

**Affidavit  
(Certified by notary)**

I .....s/o.....resident of .....  
Owner/Partner/Director of M/s.....having its registered office  
at..... do hereby solemnly affirm and declare the following;-  
That our firm/company is not convicted OR punished by Hon'ble Court of law.

**Deponent**

**Verification**

Verified at.....on the .....date.....that the  
contents of the above affidavit are true and correct to the best of my knowledge and belief.

**Deponent**





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**PART-2      FINANCIAL BID**

**format-E**

**Name of work-** Supply (Refilling in cylinders) of Medical Oxygen, Nitrous Oxide, Liquid Nitrogen & Carbon di oxide, Rate contract.

I ..... S/o ..... Resident of..... who is ..... (Designation) of Firm/Company ..... have read and understood all terms & conditions with sound mind and without any pressure. I am agree to supply items at the rate mentioned below:-

Sl. no.	Items	For Period	Unit	Qty. approx. (annual)	Rate (excluding taxes)	Amount
1	Medical oxygen in D type (bulk) cylinder (approx. 7 cum.-per cylinder)	36 Months (03 Years), on yearly renewal basis.	cum.	5600 cum.		
2	Medical oxygen in B type cylinder (approx. 1.4 cum.-per cylinder)		cum.	2660 cum.		
3	Medical Nitrous oxide in D type (bulk) cylinder (wt. approx. 28.5 kg.-per cylinder)		Kg.	6000 kg.		
4	Liquid Nitrogen in container		Liter	360 Liter		
5	Carbon di oxide		K.G.	1000 K.G.		
	Total					

<b>Detail of applicable taxes (GST etc.) and their present rate</b>	
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**Note:-**

1. L-1 will be decided according to total amount. Taxes will be paid extra by the Institute as per Government rule. Any change whether increase or decrease in taxes will be considered.
2. Rates will remain frozen for the entire period of contract, however changes in government levies will be subject to adjustment.

Date  
Place

Signature of the Tenderer  
With address and seal