

### Bid Corrigendum

GEM/2023/B/3406807-C8

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 buyer can increase or decrease the contract quantity or contract duration up to 25 percent at the time of issue of the contract. However, once the contract is issued, contract quantity or contract duration can only be increased up to 25 percent. Bidders are bound to accept the revised quantity or duration
2. **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% 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 percentage of 100% of total value.
3. **Preference to Make In India products (For bids less than 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 50%. 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. In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.
4. Bidders can also submit the EMD with Account Payee Demand Draft in favour of  
Directorate General of Hydrocarbons  
payable at  
New Delhi  
.  
Bidder has to upload scanned copy / proof of the DD along with bid and has to ensure delivery of hardcopy to the Buyer within 5 days of Bid End date / Bid Opening date.
5. Bidders can also submit the EMD with Payment online through RTGS / internet banking in Beneficiary name  
Directorate General of Hydrocarbons  
Account No.  
65191279625  
IFSC Code  
SBIN0050203

Bank Name  
State Bank of India  
Branch address  
Shastri Bhawan, New Delhi

Bidder to indicate bid number and name of bidding entity in the transaction details field at the time of on-line transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer along with bid.

6. File Attachment [Click here to view the file.](#)
7. Buyer uploaded ATC document [Click here to view the file.](#)
8. Buyer Added text based ATC clauses

**1. For detailed Scope of Work, other Terms and conditions, please refer "Annexure I" attached under "Buyer Added Bid Specific Scope of Work(SOW)"**

**2. For Bidder's eligibility criteria,, please refer "Annexure II" attached under "Buyer Added Bid Specific ATC". The eligibility criteria should be strictly complied with failing which the bid shall be liable for rejection.**

3. The bidders are advised to refer the ITEM WISE PRICE SCHEDULE/ FINANCIAL BREAK-UP attached as Annexure III. The duly filled 'ITEM WISE PRICE SCHEDULE / FINANCIAL DOCUMENT' in electronic form must be submitted by the bidders in GeM Portal along with the Financial Bid, at the designated tab of the GeM Portal.

**Summation of all-inclusive price (including GST) under Category A , B , C, D & E, only must be entered against the "OFFER PRICE" field while creating their response against the tender in GeM portal.**

Items mentioned under Category F of the PRICE SCHEDULE/ FINANCIAL BREAK-UP are optional items which may be used for new future requirements. **The rates of items under Category F shall not be used for L1 Evaluation, and hence should not be included in the price entered under "OFFER PRICE" field while creating their response against the tender in GeM portal.**

The L-1 bidder (for **Category A , B , C, D & E**) shall have to match the item-wise rates of non evaluated category F with lowest reasonable quotes received against this category F, during tendering to enable DGH to approve rates to be used subsequently for new future requirement.

**4. Only Class-I and Class-II Local suppliers as per MII (Preference to Make in India), Order 2017 dated 04.06.2020 issued by DPIIT, as amended from time to time and its subsequent Orders /Notifications issued by concerned Nodal Ministry for specific goods/products, if any will be eligible to bid. In this regard, bidder shall submit an undertaking from the authorized signatory of bidder along with the bid stating the bidder meets the mandatory minimum local content (LC) requirement and such undertaking shall become part of contract.**

#### **Corrigendum no. 1**

**a). Bidders are requested to refer to Corrigendum 1 contained from Page 4 to 13 of the document attached under "Buyer Added Bid Specific ATC"**

- b) b). Bidders are requested to take note of the clarification contained in Page 13 of the document attached under "Buyer Added Bid Specific ATC" , while filling up the ITEM WISE PRICE SCHEDULE/ FINANCIAL BREAK-UP (Annexure-III)**

#### **Corrigendum no. 2**

**a). Bidders are requested to refer to Corrigendum 2 contained in Page 14 & 15 of the document attached under "Buyer Added Bid Specific ATC"**

9. 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](#)

## Disclaimer

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. Any clause(s) incorporated by the Buyer regarding following shall be treated as null and void and would not be considered as part of bid:-

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.
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.

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\*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](#)



## DIRECTORATE GENERAL OF HYDROCARBONS

(Ministry of Petroleum & Natural Gas, Government of India)

**Corrigendum No. 2 to GeM Tender No. GEM/2023/B/3406807 for hiring of “Disaster Recovery as a Service (DRaaS)” for DGH Noida.**

In respect of GeM E-Tender No. GEM/2023/B/3406807 for hiring of “Disaster Recovery as a Service (DRaaS)” for DGH Noida, replies of pre-bid queries raised by the bidders, are attached herewith.

**The bid closing/opening date has been extended as under:**

|                  | In lieu of         | Revised             |
|------------------|--------------------|---------------------|
| Bid Closing Date | 30.06.2023 (16:00) | 04.07.2023 (16:00)  |
| Bid Opening Date | 30.06.2023 (16:30) | 04 .07.2023 (16:30) |

Addendum/ Corrigendum / Bid Due Date Extensions, if any, to the Bid Document shall be uploaded on DGH’s website [www.dghindia.gov.in](http://www.dghindia.gov.in) and National e-Procurement Portal <http://gem.gov.in>. Hence, bidders are advised to visit the said websites regularly.

## Reply to pre-bid queries against Bid No. GEM/2023/B/3406807

| Sl no. | Bid/RA Section   | Bidder's Query/request   | DGH Reply   |
|--------|--|--|---|
| 1      | <p><b><u>Price Break-up schedule:</u></b></p> <p><b>Category E (other charges)</b></p> | <p>As we understand from the RFP, that DGH wants to migrate Oracle database standard edition (physical Server) to Virtual environment (VM). The prevalent model most clouds use to measure their compute resources is virtual CPU or vCPU (nor Processor Based nor Socket based). So, we want to understand the license requirement on Cloud.</p> <p>Please clarify, do we need to provide the license of total 4 Vcpu (4 Vcpu= 2 Physical Cores) or is your requirement different. This is important since the sizing and billing for cloud is done differently than on-premises. This clarification would ensure that your requirement is met exactly as you desire as well as it would make comparison between different bidders easier for you.</p> <p>Request you to please provide more clarity on DGH license requirement on DR site.</p> | <p>Oracle Database Licenses are available for the following editions, each suitable for different development and deployment scenarios.</p> <ol style="list-style-type: none"> <li>1. Oracle Database Standard Edition 1</li> <li>2. Oracle Database Standard Edition 2</li> <li>3. Oracle Database Enterprise Edition</li> <li>4. Oracle Database Express Edition</li> </ol> <p>As per confirmation received from OEM (M/s Oracle) the Licenses installed at DGH primary datacenter are as follows.</p> <p><b>Oracle database Standard Edition 2 processor perpetual Qty. 2</b></p> <p>Accordingly, bidder is required to provide the same license edition and quantity at the DR site in the name of <b><i>“Directorate General of Hydrocarbons”</i></b> to ensure compliance of solution.</p> <p><b><u>In case of requirement of any additional license(s), bidder may refer to section C.4 &amp; G.4 of the Scope of Work Document.</u></b></p> |