

No.D-21013/01/2015-Gen.  
Government of India  
Ministry of Corporate Affairs

A-Wing, 5<sup>th</sup> Floor, Shastri Bhavan,  
New Delhi dated 02.06.2015.

### **NOTICE INVITING TENDER**

The Ministry of Corporate Affairs invites quotations from reputed & financially sound suppliers for supply of toner cartridges for printers / photocopy machines for its use. These items are generally purchased on requirement basis.

2. The application form, detailed information / terms and conditions and schedule of goods required, can either be obtained from the Section Officer, General Section, Room No.511-B, Shastri Bhavan, New Delhi. The same can also be downloaded from the Ministry's website: <http://www.mca.gov.in> and Central Public Procurement Portal at <http://www.eprocure.gov.in>.

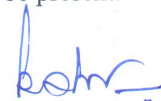
3. The cover containing the bid should be sealed and subscribed "Quotation for supply of Toner Cartridges" and should be addressed to the undersigned. The cover should contain name of the firm / contact person with address and telephone Number. The **sealed bids should be dropped in the Tender Box kept outside Room No.511-B, 5<sup>th</sup> Floor, Shastri Bhavan, New Delhi.** The schedule of receipt and opening of the bids is as under: -

**Last Date & Time for receipt of bids:** 19-06-2015 (13:00 Hrs)

**Date & Time for opening of bids:** 19-06-2015 (15:30 Hrs)

**Bid Security (EMD):** **Rs.25,000/- (Refundable)**

The bids will be opened in Room No.525, 5<sup>th</sup> Floor, A-Wing, Shastri Bhavan, New Delhi in the presence of the bidders or their representatives who may like to be present.



(Kshitish Kumar)

Under Secretary to the Government of India

## INSTRUCTIONS TO THE BIDDERS

1. The bids should be sealed in a cover and superscribed "**Quotation for supply of Toner Cartridges**".
2. The bid should be accompanied by Demand draft for bid security of Rs.25,000/- (Refundable), in favour of "Pay and Account Officer, Ministry of Corporate Affairs, New Delhi". Bids received without bid security will not be considered.
3. The successful bidder will have to deposit Performance Security of Rs.50,000/-, within one week of award of the contract, **in the form of Fixed Deposit Receipt duly hypothecated in favour of the "Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi"**.
4. Proof of valid registration with Sales Tax Authorities, TIN No. & PAN No. should also be mentioned.
5. Complete Address of the firm with telephone number (s) should be indicated on the covers so that the firm could be contacted in case of any need.
6. Bank Statements for the last three years should also be enclosed.
7. Proof of having cleared all the Income Tax / Sales Tax dues during the last three years should also be enclosed.
8. Copies of Valid ST/CST/VAT registration should accompany the bids.
9. Copy certificates to the effect that the firm is a authorized dealer / supplier of the required toner cartridges should be enclosed with the bid.
10. Bid Form as per annexure-I giving all details called for should be submitted with the bid.
11. Rates for all items are compulsorily required to be quoted. In case rates are not quoted for any of the items, the quotation shall not be considered at all. Further, in case of the bulk purchase, the bidder shall give discount over & above the price quoted and agreed by the Ministry.
12. The rates should be mentioned clearly. Any cutting in the rates / over writing should be attested by the authority signing the bid. Bids received with cuttings / over-writings without attestation will not be accepted.

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## ELIGIBILITY CRITERIA AND TERMS & CONDITIONS

1. The invitation is open to all manufacturers, their suppliers and general order suppliers who are having at least 10 years of experience in supplying toner cartridges / other items to the Ministries / Departments of the Central Government and fulfill the following criteria (documentary evidences are required to be submitted along with the technical bids): -
  - i) The bidder should be located in the National Capital Region of Delhi.
  - ii) The bidder should be authorized dealer / supplier of the required toner cartridges.
  - iii) The bidder should have at least three years experience in supply of tendered items. The bidder should have got the purchase orders of at least 15 lakh every year in the last three financial years of the tendered items from Government Departments, PSUs or reputed organizations.
  - iv) The bidder should be authorized reseller / selling agent / distributor.
  - v) The bidder should have valid CST / VAT registration with Sales Tax authorities.
  - vi) The bidder should have PAN number issued by the Income Tax Deptt.
  - vii) The bid security should be valid for at least 90 days beyond the closing date of submission of bids.
2. The bids should be valid for a minimum period of ninety days after the due date.
3. The firm should have valid Central / State Sales Tax / VAT registration number.
4. Documentary evidence about legal entity of the bidder and the authorized person who would interact with the Ministry of Corporate Affairs should be produced.
5. The Ministry of Corporate Affairs requires the toner cartridge for its use. These items are generally purchased on requirement basis.
6. The firm should be in a position to supply these items mentioned in the schedule of goods at short notice as well as on holidays / Sundays also as and when required.
7. The owner / firm should be available on his own direct telephone (office as well as residence) and also on mobile phone so as to enable this Ministry to call him in emergency cases. Mobile number (s) may also be given.
8. The supplier will be responsible for delivery of the goods in good condition in the Ministry's office or at a place selected by the Ministry at their risk and cost.
9. The goods supplied should not have been packed / manufactured more than three months before the date of delivery. The Ministry reserves the right to reject such items.
10. The Ministry may waive any minor infirmity or seek any clarification, if so desired.

11. In case a supplier is not able to supply the goods, for which supply order has been placed or have been requisitioned on urgent basis on telephone without formal supply orders, within the stipulated period of time, the supply order shall be cancelled and the Performance Security shall be forfeited immediately.
12. Bidders may please quote their unconditional rates strictly as per schedule of goods enclosed.
13. Rates should compulsorily be quoted for all the items otherwise the bid shall be rejected.
14. To maintain uniformity and quick comparison of the rates, the rates should be mentioned as per unit (s) / quantity and brands asked for in the schedule of goods. The firms should not make any deviation and quote rates for their own units, quantity, brands. Such bids shall be rejected.
15. The rates shall be quoted in Indian Rupees for delivery at the premises of the Ministry or any place selected by the Ministry within the National Capital Region of Delhi.
16. The rates should remain fixed for at least one year from the date of commencement of the contract and should not be subject to escalation of any description. The rates should be inclusive of excise duty, freight, transportation, packing, forwarding, handling etc. but excluding of VAT / CST and local taxes, if any, which shall be paid by the Ministry as applicable. The rates should be quoted as per the Price Schedule Performa in Annexure-II.
17. Bids should accompany Earnest Money Deposit (EMD) of Rs.25, 000/- in the form of Bank Draft drawn on any Nationalized Bank in favour of "Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi. The successful bidder (s) will required to submit Performance Security of Rs.50,000/- in the form of Fixed Deposit Receipt and hypothecated in favour of "Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi" within 7 days of award of the contract failing which the contract will be awarded to the next lowest bidder and bid security shall be forfeited.
18. Bids received without EMD or received after the scheduled date and time shall not be considered.
19. No exemption will be given to any firm with regard to depositing of Bid Security. However, Medium & Small Enterprises (MSEs), NCCF & Kendriya Bhandar are exempt from depositing of bid security (EMD).
20. Duly constituted Committee shall open and evaluate the Bids. The lowest quoted bidder (s) shall be chosen on the basis of total bid price received. However, the lowest bidder (s) has to match the price of other responsive bidders for the items for which his / their rates are higher. Ministry may consider to appoint more than one supplier on the same rates. In that case, any order may be placed on any appointed supplier at the discretion of the Ministry.

21. Selected lowest bidder (s) shall be appointed on fixed rates for one year from the date of signing of award of contract. However, the agreement may be extended for one more, if mutually agreed by both the parties.
22. In case the appointed supplier is found in breach of any condition (s) of tender / agreement at any stage or services of the supplier is found not to the satisfaction of the Ministry, the agreement may be terminated. The decision of the Ministry shall be final and binding in this regard.
23. Bidder shall sign all pages of quotations, documents, specification etc. forwarded with the quotation.
24. In case of any discrepancy between rate mentioned in the figures and words, the later shall prevail.
25. Any attempt of negotiation, directly or indirectly, on the part of the tenderer with the authority to whom he has submitted the tender or authority who is competent finally to accept it after he has submitted his tender or any endeavor to secure any interest for an actually or prospective tenderer or to influence by any means the acceptance of the particular tenders will render the tenderer liable to exclusion from consideration.
26. The Ministry of Corporate Affairs reserves the right to reject any or all the bids in full or part or not to award the contract to the lowest bidder. The bidder (s) shall have the right to question the bidding conditions, bidding process and /or rejection of its bids as per the provision contained under Rule 160 of GFR. However, the bidding conditions and bidding process needs to be questioned before the opening of the bids to avoid undue delay in the tendering process.
27. **BID SECURITY DEPOSIT (EMD):**

Each quotation must be accompanied by Bid Security Deposit of Rs.25,000/- which shall be in the form of Demand Draft drawn in favour of "Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi" and payable at New Delhi. Quotations received without Bid Security deposit are liable to be rejected. However, firms which are registered for supply of Toner Cartridge with NSIC may be considered for exemption from the provision of submission of Bid Security Deposit. In such case, copy of valid registration certificate from NSIC should invariably deposited with the technical bid failing which bid may be rejected.

(ii) Bid Security deposit is liable to be forfeited and bid is liable to be rejected, if the bidder withdraw or amends impairs or derogates from the tender in any respect within the period of validity of the tender.

(iii) If the successful bidder (s) fails to furnish the performance security within 7 days of the Acceptance of his/their Bid, the Bid Security deposit shall liable to be forfeited by the purchaser.

- (i) The Bid Security Deposit of all the unsuccessful bidders will be refunded as early as possible after the expiry of the period of the bid validity and after issue of the purchase order. No interest shall be payable by the Ministry on the Bid Security Deposit.

- (ii) Bid Security Deposit of successful bidder (s) shall be refunded after furnishing of Performance Security.

**28. PERFORMANCE SECURITY:**

The successful bidder (s) will be required to submit Performance Security of Rs.50,000/- in the form of Fixed Deposit Receipt and hypothecated in favour of "Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi" within 7 days of award of the contract failing which the contract will be awarded to the next lowest bidder and bid security shall be forfeited without prejudice to other remedies. Performance Security shall be released immediately after the expiry of contract period. No interest will be payable by the purchaser on the performance security. Performance Security should be valid for a minimum period of 14 months from the date of acceptance.

**29. DELIVERY PERIOD:**

The bidder must be in a position to supply the ordered items at a very short notice as and when needed. However, in any case, the delivery shall be required to be completed within 7 days of placement of the purchase order. In case the supplier fails to deliver the items within stipulated delivery period, the Ministry may recover Liquidated Damage as per clause 31, cancel the purchase order, terminate the Agreement and forfeit the performance security.

**29. LIQUIDATED DAMAGE:**

If the supplier fails to deliver any or all of the goods within the period specified in the purchase order, the purchaser shall without prejudice to its other remedies, deduct as liquidated damage @ 1.5% of the price of the delayed goods for each and every week (part of the week shall be considered as full week) subject to maximum of 7.5% of the delayed supply value and the same shall be deducted from the bill (s) or any other payment due to the party. Ministry shall be at liberty to terminate the agreement, cancel the purchase order and may also forfeit the Performance Security in case, supplier fails to deliver the items within stipulated delivery period.

30. All disputes are subject to the jurisdiction of courts in the National Capital Territory of Delhi and Agreement will be governed by and be construed in accordance with the laws of India.

31. **ARBITRATION:**

In the event of any dispute or disagreement under or in relation to this Agreement or over the interpretation of any of the terms hereinabove contained or any claim or liability of the party, the same shall be referred to the sole Arbitrator to be nominated by mutual consent of both parties therein. The intending party will serve notice in writing upon the other party notifying its intention for appointment of Arbitrator, should both parties fail to agree on by mutual consent, then Ministry will appoint the sole Arbitrator. The provisions of Arbitration and Conciliation Act, 1996 will apply. The Arbitration proceedings will be held in New Delhi. The Arbitrator will give reasons for his award and the award passed by the Arbitrator shall be final and binding upon the parties herein. Such reference shall be deemed to be a submission to arbitration under the Indian Arbitration and Conciliation Act, 1996, or of any modifications or reenactment thereof including the rules framed there under.



(Kshitish Kumar)  
Under Secretary to the Govt. of India  
Tel: 23384502

**BID FORM**

1. Name & Address of the Bidding Firm:
2. Name & Designation of the person  
Signing the bid
3. Mobile / Landline Telephone Number (s):
4. Bid Security Details:
5. CST/VAT Registration No.:  
(Copy enclose)
6. PAN Number:  
(Copy enclosed)
7. Whether Authorized dealer / supplier / distributor:
8. Annual Turnover of each financial  
Years during the last 3 years
9. Year wise amount of purchase orders of  
similar items executed in last three years  
(Copies of purchase orders / invoices of  
At least Rs.15 lakh per annum enclosed)
10. Terms & Conditions of contract mentioned  
in the invitation of bid are ACCEPTABLE/  
NOT-ACCEPTABLE
11. Deviation in terms and conditions / specifications  
(if any)
12. Capacity in which bid is signed by the bidder  
(Proprietor / Partner / Director)
13. Discount in case of bulk purchase.

Signature of Bidder \_\_\_\_\_  
Name in Block Letter \_\_\_\_\_

Place \_\_\_\_\_  
Date \_\_\_\_\_



ANNEXURE-II

SCHEDULE OF GOODS

S.No.	Item	Rate per unit
1.	HP 940 Black ink cartridge	
2.	HP 940 XL Black ink cartridge	
3.	HP 940 XL Cyan ink cartridge	
4.	HP 940 XL Magenta ink cartridge	
5.	HP 940XL Yellow ink cartridge	
6.	HP CB436AC	
7.	HP CB 540A	
8.	HP CB 541A	
9.	HP CB 542A	
10.	HP CB 543A	
11.	HP CC 388AC	
12.	HP CC530AC	
13.	HP CC531AC	
14.	HP CC532AC	
15.	HP CC533AC	
16.	HP CE278A	
17.	HP CE310A	
18.	HP CE311A	
19.	HP CE312A	
20.	HP CE313A	
21.	HP CE410A	
22.	HP CE411A	
23.	HP CE412A	
24.	HP CE413A	
25.	HP CF210A	
26.	HP CE211A	
27.	HP CE212A	
28.	HP CE213A	
29.	HP Q2612C	
30.	HP Q7553A	
31.	HP CF 350	
32.	HP CF 351	

33	HP CF 352	
34	HP CF 353	
35	Ricoh 3510	
36	HP 950XL Black ink cartridge	
37	HP 951XL Cyan ink cartridge	
38	HP 951XL Magenta ink cartridge	
39	HP 951XL Yellow ink cartridge	
40	Samsung SCX4521D3	
41	Samsung D1053	