

यू. टी. प्रशासन दादरा एवं नगर हवेली और दमन एवं दीव
U.T. Administration of Dadra & Nagar Haveli and Daman & Diu
स्वास्थ्य और परिवार कल्याण विभाग, डीएनएच और डीडी
Department of Health and Family Welfare, DNH & DD
केंद्रीय खरीद शाखा का कार्यालय
Office of the Central Procurement Branch
दमन / Daman

E-mail: cpbdaman106@gmail

e-Tender Id No.: 2025_UTDNH_7801_1 Dated: 22.11.2025 Rate Contract for Purchase of Nicotine Gum 2 Mg Under National Tobacco Control Programme for NHM Department, U.T. of DNH & DD.

No. CPB/DNH&DD/Nicotinegum/NHM/2025-26

Date: - 22/11/2025

A. Tender Notice/Notice Inviting Tender (NIT)

The Director of Medical & Health Services, UT of Dadra & Nagar Haveli, Daman & Diu on behalf of President of India, invites online tender on <https://dnhtenders.gov.in/nicgep/app> from the Manufactures/ Authorized Dealers/ Suppliers for Rate Contract for Purchase of Nicotine Gum 2 Mg Under National Tobacco Control Programme for NHM Department, U.T. of DNH & DD.

Sr.	Particulars	(E.M.D.) Earnest Money Deposit	Tender Fees (Non-Refundable)	e-Tender ID No.
1.	Rate Contract for Purchase of Nicotine Gum 2 Mg Under National Tobacco Control Programme for NHM Department, U.T. of DNH & DD. Tender Id. 2025_UTDNH_7801_1	-	Rs. 500/-	

Bid document downloading Start Date	:	24.11.2025, 15:00
Bid document downloading End Date	:	15.12.2025, 14:00
Last Date & Time for receipt of Bid	:	15.12.2025 14:30
Preliminary Stage Bid Opening Date	:	15.12.2025
Technical Stage Bid Opening Date	:	15.12.2025
Financial Stage bid opening Date	:	15.12.2025

Bidders have to submit Technical Bid and Financial Bid in Electronic format only on <https://dnhtenders.gov.in/nicgep/app> website till the last date and time for submission.

It is ensured that all tenders links will be used in HTTPS format for e-procurement compliance.

Technical Bid and Financial Bid in Physical format shall not be accepted in any case.

Bid submission will be done along with Tender Fees and EMD in original by Registered Post/Speed Post or to be deposited in the tender box kept in the office of the Central Procurement Branch, DNH & DD as per Rule 170 of the General Financial Rules (GFR), 2017.

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However, Tender Inviting Authority shall not be responsible for any postal delay. Tenders can be downloaded from <https://dnhtenders.gov.in/nicgep/app>

Kind attention is invited to the bidders that: -

1. The EMD and Tender Fees should not be forwarded by cash.
2. The Tender Fees will be accepted only in form of DD/Bankers Cheque of any Nationalized or Scheduled Bank of India payable at Daman in favour of The Mission Director, NHM Daman. The Tender Fees will be Non-Refundable.
3. The EMD will be accepted in form of FDR or Bank Guarantee from any Commercial Banks in an acceptable form payable at Daman in favour of The Mission Director, NHM, Daman.
4. The EMD will remain valid for a period of 45 days beyond the final bid validity period as per Rule 170 of the General Financial Rules (GFR), 2017.
5. Bids must be submitted through the e-procurement portal only; manual or offline bids shall not be accepted as per Rule 160 of the General Financial Rules (GFR), 2017.

The tender inviting authority reserves the right to accept or reject any or all the tender to be received without assigning any reasons thereof. In case bidder needs any clarification on the process of bidding for participating in online tender for further details, correspondence can be made on E-mail: cphp-nic[at]nic[dot]in, Mobile No: +91-7878007972 and +91-7878007973, Tel No. 1800 3070 2232 Website: www.dnhtenders.gov.in

Sd/-
In - Charge,
Central Procurement Branch
2nd Floor, CHC Campus,
Fort -Area, Moti Daman,
Daman – 396220
U.T. of DNH and DD
Email – cpbdaman106@gmail.com.

Copy to: -

- 1) Secretary, Health & Family Welfare, DNHDD.
- 2) Director, Medical & Health Services, DNHDD
- 3) IT Department, D&NH, with a request to publish in Website.

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B. Instructions to Bidders

1. Availability of Tender Documents

All tender documents can be downloaded **free of cost** from the website:

 <https://dnhtenders.gov.in/nicgep/app>

2. Mode of Submission

All bids shall be submitted **online only** on the above-mentioned website.

3. Guidelines for Online Participation

Instructions for online participation in e-tenders can be obtained from the same website.

4. Supplier Registration

Suppliers must register on the website through the “**New Supplier**” link available on the homepage.

5. Bid Validity

The bid shall remain valid for a period of **180 days** from the date of opening of technical bid.

6. Digital Signature Certificate (DSC)

A valid **Digital Signature Certificate** is mandatory for participation in the e-tender. The bidder must ensure all uploaded documents are digitally signed using a valid **Class-III Digital Signature Certificate (DSC)**.

7. Clarifications & Communication

For any queries regarding tender specifications or clauses, correspondence may be addressed to:

**The In-Charge,
Central Procurement Branch**
2nd Floor, CHC Campus,
Fort -Area, Moti Daman
Daman – 396220
U.T. of DNH and DD
Email – cpbdaman106@gmail.com.

8. Document Submission

- All documents uploaded/scanned must be **legible and readable**.

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9. Document Categorization and Submission:

Documents are categorized into **Group A** and **Group B**.

Group A documents (Tender Fee and EMD) shall be submitted **physically** at the office of the **Central Purchase Branch (CPB)** only.

Group B documents (as listed in **Annexure-B**) shall be submitted **online only** through the website <https://dnhtenders.gov.in/nicgep/app>

Uploading required documents on the tender website is **essential**.

Hard copies may be sent separately, which the Department may refer to if required.

10. Product Compliance

The bidder must provide **compliance details** for each quoted product.

Any **false or misleading statement** found at any stage of the procurement process will result in **outright rejection of the bid** and **forfeiture of EMD**.

11. Amendment/Modification/Corrigendum process

Amendment/Modification/Corrigendum may be incorporated as per the requirement of the department before accepting or rejecting any or all tenders in part or whole without assigning reasons.

12. Withdrawal of Bids

The department has the whole right to withdraw any or all tenders in part or whole without assigning reasons at any time before issuing the purchase order to the bidders. This decision will be binding to all the bidders.

C. Tender Submission System

1. Two-bid system:

- **Technical Bid** and **Financial Bid** to be submitted online at:
<https://dnhtenders.gov.in/nicgep/app>
- **EMD and Tender Fee** to be submitted physically in the Tender Box along with a covering letter.

The envelope should be **super scribed** as:

“e-Tender – Sealed Cover of Bid for Rate Contract for Purchase of Nicotine Gum 2 Mg Under National Tobacco Control Programme for NHM Department, U.T. of DNH & DD”.

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The **EMD** and **Tender Fee** must be enclosed with the bid documents.

2. Tender Fee (Non-Refundable) – Rs. 500/-

- a. Tender Fees shall **not be accepted in cash**.
- b. The fee must be submitted in the form of **Demand Draft (DD) or Banker's Cheque**, drawn in favour of: "The Mission Director, NHM, Payable at Daman from any **Nationalized or Scheduled Bank** of India.
- c. Tenders without the prescribed Tender Fee will be **summarily rejected**.

3. Earnest Money Deposit (EMD) – Rs. -

- a. All tenders must be accompanied by the prescribed **EMD** failing which they will be **rejected**.
- b. EMD is to be obtained from the bidders except MSME and Startups as per Rule 170 of General Financial Rules (GFR), Rules, 2017.
- c. Bidders claiming MSME benefits must provide valid UDYAM Registration Certificate as per MSME Notification 2021.
- d. EMD is to be submitted in favour of "**The Mission Director, NHM, Daman**" issued by any Nationalized or Scheduled Bank authorized by the RBI to undertake Government business.
- e. EMD may be submitted in any of the following forms:
 - **Fixed Deposit Receipt (FDR)**
 - **Bank Guarantee (BG)**
- f. The EMD will remain valid for a period of 45 days beyond the final bid validity period as per Rule 170 of the General Financial Rules (GFR), 2017.
- g. EMD in any other form will **not be accepted**.

4. Exemption from EMD (As per GFR Rule 170)

1. **Micro and Small Enterprises (MSEs)** registered under the **MSME Procurement Policy** are exempt from EMD submission.
 - Such bidders must, however, submit a **Bid Securing Declaration** accepting that if they withdraw or modify their bids during the validity period, or fail to sign the contract/submit performance security, they will be **suspended for 12 months** from eligibility to bid for tenders under the Department of Health & Family Welfare, DNH & DD.

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2. Under MSE category, **only manufacturers** (for goods) and **service providers** (for services) are eligible for EMD exemption. **Traders are excluded.**
 3. Start-ups (whether MSEs or otherwise) are also **exempted** from EMD, prior experience, and prior turnover requirements, subject to meeting quality and technical specifications as per O.M issued by the Ministry/UT Administration time to time.
 4. All financial statements submitted shall be audited by a Chartered Accountant and accompanied by CA's seal and signature.
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5. Performance Security/Security Deposit (Rule 171 of GFR, 2017)

- a. To ensure due performance of the contract, Performance Security is to be obtained from the successful bidder awarded the Contract.
- b. Performance Security will be 5% of the value of the contract as specified in the bid document.
- c. Performance Security should remain valid for a period of sixty days beyond the date of completion of all contractual obligations of the supplier including warranty obligations.
- d. Bid security should be refunded to the successful bidder on receipt of Performance Security.
- e. Performance Security may be furnished in the form of:
 - **Fixed Deposit Receipt (FDR)**
 - **Bank Guarantee (BG)**

6. Forfeiture of EMD / Performance Security

EMD/Performance Security shall be forfeited under the following conditions:

- i. Submission of **false or fabricated documents, misleading statements, or failure to provide requisite documents** in proper format.
- ii. Failure to **execute supply orders** within the stipulated time.
- iii. Failure to **replace goods** declared to be **not of standard quality** or found to be **decayed/spoilt**.
- iv. If the bidder withdraws or modifies bid during validity.

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7. Release of EMD/Performance Security

- a. The EMD submitted by successful bidders shall be returned to them after the successful bidder deposits the performance security according to conditions stipulated in the bid document.
- b. The Performance Security shall be refunded to the bidders after completion of the contract as per order, or after the expiry of contract on satisfactory completion of the same whichever is later.

8. Failure to Supply

- In the event of failure to supply materials as per terms and within the stipulated period:
- The **loss incurred** will be recovered from the supplier's **EMD/Security Deposit or pending bills**.
- The supplier shall have **no claim** in such cases.

9. Non-Adjustability of EMD

EMD deposited against previous tenders or supply orders **shall not be adjusted** against this tender's EMD requirement.

D. Eligibility Criteria:

In order to qualify for participation in the tender process, interested bidders must meet the following eligibility requirements and submit all supporting documents as listed below

Each document is mandatory and must be enclosed with the bid to ensure proper evaluation and consideration.

1. **PAN Card:** - A self-attested copy of the Permanent Account Number (PAN) card issued by the Income Tax Department of India must be submitted.
2. **GST Registration Certificate:** - A valid Goods and Services Tax (GST) registration certificate must be provided in the name of the bidding entity.
3. **Statement of Annual Income / Turnover:** - The average annual turnover of the bidder for the last 3 financial year must be at least Rs. 1 Lakhs, the bidder shall provide proof

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- of annual income/turnover for the last three financial years, (2022 - 2023, 2023 - 2024, and 2024 - 2025). Acceptable documents include **audited financial statements** or **income tax returns**, duly certified by a Chartered Accountant.
4. **Undertaking and Verification of Required Documents/Certificates/Permissions as per Annexure-A:** - A duly filled, signed, and stamped copy of **Annexure-A** (comprising the undertaking and declarations of the required documents/certificates/permission as per Annexure A) confirming compliance with tender requirements must be submitted.
 5. **Schedule of Required Documents/Certificates/Permissions in Annexure-B** – A scanned, stamped, and duly signed copy of **Annexure-B** from the tender document must be uploaded.
 6. **Certification that** the Bidder or any of its allied is not **Blacklisted by any** Central/State Government/ Public Undertaking/Institute at the time of bid submission as per prescribed format in Annexure-C. This certification should be notarized on Rs. 50/- non-Judicial stamp paper for validity. Persistent default or non-performance may result in blacklisting of the firm for up to Two years as per Rule 151(iii) of GFR 2017.
 7. **Sample Submission Form (if requested by department):** - A duly filled and signed **Annexure D** must be submitted as part of the sample submission process, if requested by the department.
 8. **Product Certification Documents:** - Copies of valid product certifications must be provided, as applicable:
 - ISO (including ISO 13485)
 - FDA approval
 - WHO-GMP certification
 9. **Tender Fee & Earnest Money Deposit (EMD):** - The prescribed Tender Fee and EMD must be submitted. If claiming EMD exemption, a duly signed undertaking, in lieu of submitting EMD, as per **Annexure -E** must be enclosed.
 10. **Work Experience Certificate:** - The bidder must have relevant experience in **SITC (Supply, Installation, Testing & Commissioning)** of similar products in the last three financial years or a valid **work order/completion certificate** must be submitted showing experience in handling projects of at least Rs. 40000.00
 11. **Non-Conviction Certificate (FDA):** - A recent **Non-Conviction Certificate** issued by the **Food & Drug Administration (FDA)** must be submitted by the bidder, confirming

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that the manufacturer has not been convicted under applicable laws. The certificate shall be valid and not older than 12 months from the date of opening of the technical bid.

12. **Drug License Certificate:** - A valid license issued under the **Drugs & Cosmetics Act, 1940** and the rules framed thereunder must be enclosed, authorizing the bidder to deal in the relevant pharmaceutical or medical.

13. **Additional Mandatory Documents (for Manufacturers Only):** - If the bidder is a manufacturer or submitting the bid on behalf of a manufacturer, the following additional documents are mandatory:

a. **WHO-GMP Schedule-M GMP Certification**

A valid WHO-GMP or Schedule M GMP certificate demonstrating compliance with Good Manufacturing Practices must be submitted. This certification must have been continuously held for at least the last **three years**.

b. **Manufacturing and Marketing Certificate**

A valid certificate issued by a competent authority confirming that the manufacturer is authorized to manufacture and market the offered products in India.

E. Bid Evaluation Criteria

A. Preliminary Evaluation

- Verification of Tender Fee and Earnest Money Deposit (EMD) submission.

B. Technical Evaluation

- Scrutiny of the technical specifications and all other relevant documents as required by the Department, in comparison with the quoted specifications.
- Examination of the Compliance Statement submitted by the bidder.
- **Sample Verification (if required):** If samples are requested by the Department, they must be submitted as per instructions. Please note that submitted samples will not be returned.

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C. Financial Evaluation

- The financial bids of only those bidders who qualify in the Technical Evaluation stage shall be opened.
- The bidder offering the **lowest evaluated price (L1)** among the technically qualified bidders will be considered for award of contract.
- In the event of a tie in L1 rates:
 - i) In case one of the L1 bidders is MSE owned by SC/ST or a Women Entrepreneur, then 25% quantity order reserved for MSEs will be placed on the MSE owned by SC/ST or a Women Entrepreneur subject to fulfilment of other tender conditions.
 - ii) If one of the L1 bidders is MSE, other than MSE owned by SC/ST or a Women Entrepreneur then an order shall be placed on such MSE bidders.
 - iii) In all other scenarios, the order shall be placed on the L1 bidder having a higher turnover in the previous financial year. In case there is a tie at the lowest bid (L-1) position between only startup bidders and none of them has past turnover, the order will be placed on the startup that was registered earlier with the Department of Industrial Promotion and Policy.

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F. Terms and Conditions of Contract

1. Acceptance of Tender

a. Grounds for Rejection

The tender is liable to rejection for any of the following reasons:

- i. Non-submission of the tender within the stipulated time period.
- ii. Group A documents to be submitted physically at the office of CPB only and Group B documents to be submitted online at <https://dnhtenders.gov.in/nicgep/app>
- iii. Group A documents include tender fees and EMD, whereas Group B includes the document which is mentioned in annexure -B
- iv. Tender is unsigned, not initial on each page, or contains unauthenticated corrections.
- v. Non-payment of Tender Fees as well as Earnest Money Deposit (EMD) (if not exempted).
- vi. Exemption of EMD is not as per the GFR Rule 170.
- vii. Conditional or vague offers.
- viii. Unsatisfactory past performance of the tenderer.
- ix. Items offered with major deviations in specifications, standards, grade, packing or quality.
- x. Submission of misleading, contradictory, false statements, or fabricated/invalid documents.
- xi. Improperly filled tender documents.
- xii. Unreadable documents uploaded online shall not be considered for bid evaluation.
- xiii. Bidders should not submit a bid if their firm's turnover is below the prescribed threshold.

b. Discounts

Any discount offered by the bidder must be clearly reflected in the total final bid amount in the price bid form on Discounts offered **after** opening of the price bid shall **not** be considered.

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c. Rate Evaluation

The consolidated rates entered online will be taken into account for preparing price statements. Only the bidder who is technically qualified **and** found lowest (L1 Bidder) as per evaluated rates shall be considered for award of contract.

d. Clarifications

The Director of Medical & Health Services, DNH & DD may seek clarification, explanation, or documentary evidence related to the offer at any stage.

e. Product Quotation

- Quote **only** for products for which valid product permission matches the bid specifications.
- Quote rates exactly as per the packing unit specified in the tender schedule. (Example: if packing is 10x10 tablets, quote for 10x10 tablets only).
- All documents submitted must be authentic and legible, with visible dates of issue.

f. Submission & Validity

- No tender will be accepted after the prescribed closing time. Delays, including postal/transit, will not be condoned.
- If the last date of submission falls on a Government holiday, it shall automatically extend to the next working day.
- The tenderer must confirm that all specifications (standard, composition, packing, minimum batch size, WHO GMP, etc.) are strictly as per tender requirements.
- The tenderer has to be clearly mentioned the **manufacturer's name**.

g. Eligibility & Representation

1. If the manufacturer is unavailable for imported drugs/surgicals/diagnostic kits, an authorized representative or dealer may quote, provided:
 - They have supplied the quoted product regularly for at least **One year** preceding the bid date.
 - They submit a valid **Authorization Letter** and **Import License** (if applicable).
2. Firms whose products have been declared **spurious or adulterated**, or against whom a **criminal case is pending**, are **not eligible** to participate for that product. Convicted firms shall also be disqualified.

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3. If a company has multiple manufacturing units at different sites, it may submit **one consolidated bid** but must attach details of each manufacturing unit. Only **one offer per product** is permitted per bidder.
-

h. Quantity & Rate Contract

- The quantities indicated are **tentative** and subject to change based on actual departmental requirements, shelf life, and buffer stock.
 - All medicines must comply with Rule 96 of the Drugs & Cosmetics Rules, 1945, and further, Shelf-life compliance legally required under Drugs & Cosmetics Rules.
 - The successful tenderer shall be bound to supply required quantities as and when demanded.
 - The **rate contract** will remain valid for **one year**.
-

i. Pricing and Delivery

- Rates must be **inclusive of all taxes and charges**; no extra payment will be made.
 - Delivery shall be **at Central Medical Store, DMHS, CHC campus, Moti Daman**.
 - The supplier shall arrange **door delivery up to the Mentioned Address irrespective of floor**, including labour and transportation.
 - All taxes, duties, royalties, or charges payable on sales/transport within or outside the State shall be borne by the supplier.
 - Orders must be completed within the specified delivery period.
-

j. Authority & Finality

- The decision of the **Tender Inviting Officer** regarding acceptance/rejection, quality, or equivalence of supplied goods shall be final and binding.
- All disputes arising out of this tender shall fall under the jurisdiction of Courts at Daman, UT of Dadra & Nagar Haveli and Daman & Diu.
- The Tender Inviting Officer reserves the right to accept or reject any or all tenders in part or whole without assigning reasons.
- The tender Inviting officer have the right to amend/make corrigendum before accepting or rejecting any or in part or whole without assigning reasons.

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k. Agreement

No separate agreement shall be required to be signed. Submission of the bid itself implies acceptance of all tender terms and conditions for all legal purposes.

l. Quantity Variation

The actual quantity procured may vary tentatively as per the immediate requirement of the department. The tenderer shall be bound to supply such variation without objection.

m. Specific Compliance Requirements

- Bidders must quote for **Generic Medicines only**.
- Submit a **Non-Conviction Certificate** issued by the respective State Government Authority of the manufacturing unit. The certificate shall be valid and not older than 12 months from the date of opening of the technical bid.
- Submit **Manufacturing and Marketing Certificate** (or equivalent Market Standing Certificate). The term 'Equivalent' shall mean products having the same active ingredient, dosage form, and regulatory approval from WHO-GMP/ISO/CE certified manufacturers.

n. Quality Control

“The quality of supplied medicines will be verified through random sampling at certified laboratories of the state/UT. Payment will be released only upon confirmation that the medicines meet prescribed quality standards.”

o. Blacklisting and Litigation

- The bidder or its associated entities is **not** blacklisted by any State/Central Government at the time of participation of this tender.
- An **affidavit** confirming the same must be submitted.
- Details of any **litigation or arbitration** related to contracts in the last three years must be disclosed.
- Submission of a **false affidavit** shall result in blacklisting, termination of the contract, and recovery of all resulting losses.
- If the bidder/principal is under investigation or penalized by CVC or any State/Central Government body for similar work, the bid will be **rejected outright**.

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G. TERMS OF SUPPLY

a. **Marking and Labelling:**

All items supplied under this order shall bear the marking **“FOR GOVT. HOSPITAL SUPPLY in U.T. OF DNH & DD – NOT FOR SALE”**. If the items are packed in packets which are subsequently placed or repacked within boxes, cartons, bottles, or foils, the above marking shall appear on both **internal and external** packaging and labels. **Retail prices shall not be printed or displayed** on any internal or external pack, box, carton, or foil.

b. **Loss or Damage During Transit:**

In the event of breakage or loss of goods during transit, the supplier shall replace the quantity lost or damaged **at no additional cost** to the Department. The Department will not bear the cost of transit insurance; the supplier shall be solely responsible for the safe delivery of the stores.

c. **Transport Documents:**

The **Railway Receipt (RR)** or other transport documents shall be drawn **in favour of the Director, Medical & Health Services, DNH & DD.**

d. **Delivery at Site:**

The supplier shall ensure **door delivery up to the mentioned address irrespective of floor**, including labour charges. No additional charges shall be payable by the Department for this purpose.

e. **Mode of Dispatch:**

Railway Receipts or other transport documents **shall not be sent by VPP (Value Payable Post) or through any Bank**, as the department shall not bear any cash demands for delivery of such documents.

f. **Delivery of the Material: -**

The delivery of the material to be delivered within 30 days from the issue of the supply order. In case of failure to supply penalty may be imposed as per clause with the approval of the competent authority.

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स्वास्थ्य और परिवार कल्याण विभाग, डीएनएच और डीडी
Department of Health and Family Welfare, DNH & DD
केंद्रीय खरीद शाखा का कार्यालय
Office of the Central Procurement Branch
दमन / Daman

E-mail: cpbdaman106@gmail

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- g. Supplier must ensure cold chain maintenance for thermolabile drugs and submit temperature control certificate along with batchwise Certificate of Analysis.

h. Submission of invoices: -

It is expected that the invoice to be submitted with the delivered material.

i. Quality and Specification:

Supplies of inferior quality, different specifications, brands, or incomplete/damaged goods will not be accepted.

The supplier shall **replace such items at his own cost and risk**. Intimation of non-acceptance will be sent within **15 days** of receipt. Rejected materials will be returned at the supplier's cost. If the Supplies fail to replace the material his EMD/SD may be forfeited by the department and remaining material will be procured from EMD/SD amount.

Further, Penal action may also be initiated as per relevant rules.

j. Reduction in Quantity Ordered:

If the Tender Inviting Officer, for any reason, does not require the whole or part of the ordered quantity, a written notice will be issued to the supplier. The supplier shall not be entitled to any compensation or claim for loss of profit due to such reduction or alteration in quantity.

k. Estimated Quantities:

The quantities mentioned in the tender are **approximate estimates**. The actual quantity may vary. The successful bidder shall have **no claim for loss or damages** arising from any variation between the estimated and actual quantities.

l. Termination of Contract:

The Tender Inviting Authority may terminate the contract **at any time**.

If the Government terminates the contract due to a **breach of conditions**, termination shall take effect **immediately**, without prior notice.

m. Grounds for Termination:

1) The Director of Medical and Health Services Reserves the right to terminate the contract wholly or in part at any time without assigning any reason by giving 15 days written notice to the supplier.

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2) The contract including rate contract shall be liable for immediate termination without prior notice in the following cases:

- i. The firm is debarred, disqualified, ceases to exist, or is convicted of any offence.
- ii. If the supplier fails to deliver any or all of the items within the time period specified in the purchase order.
- iii. If the supplier supplies substandard or non-conforming goods or fails to replace rejected items within the stipulated time.
- iv. If the supplier breaches any term and condition of the contract including false declaration, misrepresentation or violation of tender norms.
- v. if the supplies become insolvent, goes into liquidation or is blacklisted by any government authority.
- vi. If the bidder not supply the material after the standard delivery period.

H. PAYMENT TERMS

a. **Payment:** 100% payment of the invoice amount shall be made **only after successful supply and submission of the Security Deposit.**

b. **Price Escalation:**

No request for **price escalation** shall be entertained under any circumstances.

c. **Billing:**

All bills shall be prepared in **triplicate** and must mention the **supply order number and date.**

d. **Revenue Stamp:**

Bills exceeding ₹5,000/- must be **pre-receipted** on a **Revenue Stamp** of appropriate value.
Bills not pre-receipted will not be accepted for payment.

e. **Tax Certification:**

Each bill charging GST is charged must contain the following certificates on the body of the bill: "Certified that the goods on which GST has been charged have not been exempted under the Central GST or the Rules made there under and the amount charged on account of GST on these service is not more than what is payable under the provisions of relevant Act or Rules made there under".

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f. Additional Charges:

No extra charges for **packing, forwarding, or insurance** will be paid beyond the quoted rates.

g. Item Specification:

Rates should be quoted **only** for the specified items as per the tender terms.

h. Deviation in Specification:

The bidder shall supply the same material of the brand, manufacturer, and specification that has been quoted by him in the bid, any laps shall be viewed seriously and necessary action will be taken.

i. Advance Payment:

No advance payment shall be made; payments will be released only after inspection and acceptance as per GFR Rule 172.

SECURITY DEPOSIT (SD)

- a. The successful tenderer shall deposit **5 % of the total order value** as Security Deposit **within 10 days** from the date of issue of order.
- b. Failure to deposit the Security within the stipulated period shall result in **automatic cancellation of the order** without prior intimation.
- c. Security Deposits submitted against previous tenders or supply orders **shall not be adjusted** against the current requirement.
- d. In case of failure to replace defective or rejected goods, losses incurred by the Government shall be **recovered from the Security Deposit or from any pending bills.**

I. Shelf-Life Clause (for Medical Supplies):

1. The supplied medicines or medical items must have a **minimum remaining shelf life of 75%** of the total shelf life **at the time of delivery** to the consignee.
(Example: For a product with 24 months total shelf life, at least 18 months should remain on delivery.)
2. Items having **less than 75% of shelf life remaining** at the time of supply **shall be rejected** and must be replaced by the supplier at their own cost.

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3. Each item should be supplied in **original manufacturer's sealed packing with clear labelling** showing:
- Name of the medicine/device
 - Batch number
 - Manufacturing date
 - Expiry date
 - Manufacturer's name and license number
4. In case any supplied stock is found to be **expired or nearing expiry (less than 3 months remaining)** during delivery of material, the supplier shall **replace such items immediately** at no additional cost to the Department
5. The Department reserves the right to **verify and reject any consignment** not conforming to the prescribed shelf-life requirements.

J. Force Majeure Clause

1. Such events include, but are not limited to:

- Natural disasters (flood, earthquake, cyclone, storm, drought, fire, etc.)
- War, invasion, acts of foreign enemies, hostilities, or civil commotion
- Acts of Government (law, order, regulation, or embargo)
- Epidemics, pandemics, or quarantine restrictions
- Strikes, lockouts, or industrial disturbances
- Any other causes beyond the control of the affected party

2. Obligations of the Party Claiming Force Majeure:

The affected party shall:

- a) Notify the other party **in writing within 7 days** of the occurrence of such event, explaining its impact on performance.
- b) Provide supporting evidence, if required, to establish the event as Force Majeure.

3. Consequences:

- a) The performance of the contract shall be **suspended** for the period during which the Force Majeure condition continues.
 - b) **No party shall be liable** for non-performance or delay during this period.
 - c) If the event continues for more than **60 days**, either party may **terminate the contract** without any financial liability to the other.
-

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4. Exclusions:

Events such as **non-availability of materials, labour disputes, or financial difficulties** of the bidder shall **not** be considered Force Majeure.

5. Restoration of Work:

As soon as the Force Majeure event ceases, the affected party shall **resume performance** of its obligations under the contract as early as possible.

K. Annual Rate Contract

1. The successful bidder shall enter into an Annual Rate Contract (ARC) for the supply of approved items at the accepted rates and on the terms and conditions specified in this tender and in the resultant contract order.
2. The Rate Contract shall remain valid for a period of one (01) year.
3. The quantities indicated in the Schedule of Requirements are indicative only and may vary according to the actual needs of the Department during the contract period. The Department shall not be under any obligation to procure any fixed or minimum quantity, and may, at its discretion, procure higher or lower quantities than those indicated, subject to requirement and availability of funds.
4. The prices quoted and approved under this Rate Contract shall remain firm and fixed during its validity and shall not be subject to any escalation on account of raw-material cost, transport, or labour. Only changes in statutory taxes or duties notified by Government after the date of contract shall be admissible.
5. The Department reserves the right to terminate this Rate Contract at any time during its tenure, if it is considered expedient in the public interest to do so. The decision of the Department shall be final and binding. No compensation shall be payable to the supplier for such termination.
6. All supplies made under this Rate Contract shall be governed by the provisions of this tender, including inspection, acceptance, penalty, and payment clauses, and by any specific instructions issued with individual supply orders.
7. The existence of this Rate Contract does not confer any right on the supplier to claim placement of supply orders or to demand any minimum quantity of business. Each supply order placed under this Rate Contract shall constitute a separate and independent contract governed by these terms.

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L. Penalty Clause

1. **Delay in Supply:**

If the supplier fails to deliver the Material within the stipulated time as mentioned in the purchase order/contract, a penalty shall be imposed at the rate of **0.5% (half percent)** of the total value of the delayed items **per week or part thereof**, subject to a maximum of **10% of the total order value**.

2. **Non-Performance or Short Supply:**

In case of failure to supply the ordered quantity or substandard supply not conforming to the specifications, the department reserves the right to **forfeit the Earnest Money Deposit (EMD)/Performance Security Deposit** and **terminate the contract** without any prior notice. The supplier may also be **blacklisted** for future tenders.

3. **Quality Rejection:**

If any item is found to be of **inferior quality, damaged, or not as per approved specification**, such items shall be rejected and must be replaced by the supplier at their own cost within the time specified by the department. Failure to do so shall attract the above penalty in addition to rejection of goods.

4. **Administrative Action:**

Persistent delays, poor performance, or failure to meet contractual obligations may lead to **blacklisting/debarment** from participation in future tenders of the department for a period decided by the competent authority.

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M.SCOPE OF WORK:

Schedule of Requirements, Specifications and Allied Technical Details:

Rate Contract for Purchase of Nicotine Gum 2 Mg Under National Tobacco Control Programme for NHM Department, U.T. of DNH & DD.

Please mentioned Offered Company for Quoted Items only as mentioned below and attach the Scan copy of the same. Format is as under:

Sr. No.	Particulars	Required Company	Unit/ Rate	Qty. Reqd.	Company offered	Timeline for delivery
1.	Nicotine Gum 2 Mg		Per Strip (per strip contain 10 gum)	3150 strips		Within 30 Days

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N. Check list for Bidders

Sr No.	Document/Certificate	Enclosed	Pg No.
1	PAN Card		
2	GST Registration Certificate.		
3	Statement of Annual Income for the last three financial years i.e. 2022-23, 2023-24 and 2024-25.		
4	Verification, Undertaking, Checklist and Documents as per Annexure-A.		
5	Scan copy of Annexure-B of the Tender Documents duly Stamped and Signed.		
6	Undertaking mentioning the Tender ID as per Annexure-C		
7	Scan copy of Terms and Conditions of the tender documents duly Stamped and Signed on each page.		
8	Annexure D for be filled for Sample submission		
9	Scan copy of Scope of Work correctly filled with Stamped and Signed on each page.		
10	Copy of Certificate of ISO/ FDA/ WHO GMP/ ISO-13485 mark of any National / International Standard.		
11	EMD. If claiming Exemption Undertaking may be given as per Annexure E		
12	The bidder must Produce work experience document. Bidder shall have experience of their work in last 3 financial years executing an order of SITC (Supply Installation Testing and Commissioning).		
13	Latest No Conviction Certificate by FDA		
14	Drugs & Cosmetic Act - 1940 & rules there under (Drug License Certificate to be enclosed)		
15	Mandatory Documents required from the Manufacturer including above documents: 1) Manufacturer shall be holding WHO GMP or Schedule M GMP Certificate for last 03 Years. 2) Manufacturer shall be holding "Manufacturing and Marketing Certificate".		

Sign & Stamp of tenderer

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ANNEXURE - A

(This undertaking must be printed on the firm's official letterhead and signed by the authorized signatory.)

Verification and Undertaking of the Required Documents/Certificates/Permissions

From: M/s.....

No.....

To

**The In-Charge,
Central Procurement Branch**
2nd Floor, CHC Campus,
Fort -Area, Moti Daman
Daman – 396220
U.T. of DNH and DD
Email – cpbdaman106@gmail.com.

Sub: Rate Contract for Purchase of Nicotine Gum 2 Mg under National Tobacco Control Programme for NHM Department, U.T. of DNH & DD.

Ref: Tender Enq #.....

Sir,

I/We enclose the necessary documents duly signed, as shown in Annexure 'B' (in order in which they are mentioned). I/We have carefully read and understood the terms and conditions stated in the tenders from and I/We shall abide by all these conditions. I/We further endorse that in particular, the terms and conditions of Delivery Period, Payment Terms, Place of Delivery etc are acceptable to me/us and no representation will be made by me/us afterwards for altering the same.

I/We verify the copies of the certificates/documents enclosed herewith are authentic true copies of the original certificates/documents for verification on demand. I/We undertake to upload the attested copies of certificates/documents required on the website.

I/We will be cautious to see that the uploaded scan documents are legible and I/we understand that if the documents are not legible, my/our tender will be rejected.

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I/We verify that I/We are in possession of the requisite licenses/permits required for the manufacture /supply /sale /distribution of the items and further verify that the said licenses/permits have not been revoked/ cancelled by the issuing authorities and are valid as on date. I/We also verify that I/We have not been declared defaulter, blacklisted or debarred by any State or Central Government or Constitutional authority or Financial Institution or Judicial Court or any Government undertakings.

I/We also take cognizance of the fact that providing misleading or questionable information or failure to furnish correct or true information to you or any other Officer or failure to comply with any contractual requirement laid down by you will be considered as a serious breach of the terms and conditions of the tender and will invite disqualification and other penal action as deemed fit by the UT Administration.

Thanking You.

Yours faithfully,

Sign & Stamp of Tenderer.

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ANNEXURE – B
SUBMISSION OF GROUP- B DOCUMENTS

Sr. No.	Document/Certificate	Uploaded & Enclosed
01.	PAN Card	Yes / No
02.	GST Registration Certificate.	Yes / No
03.	Statement of Annual Income/turnover for the last three financial years must be at least Rs. 1 Lakhs i.e for F.Y. 2022 – 23, 2023-24, & 2024-25 and certified by a Chartered Accountant	Yes / No
04.	Verification, Undertaking, Checklist and Documents as per Annexure-A.	Yes / No
05.	Scan copy of Annexure-B of the Tender Documents duly Stamped and Signed.	Yes / No
06.	Undertaking mentioning the Tender ID as per Annexure-C	Yes / No
07.	Scan copy of Terms and Conditions of the tender documents duly Stamped and Signed on each page.	Yes / No
08.	Annexure D to be filled for Sample submission if required.	Yes/No
09.	Scan copy of Scope of Work correctly filled with Stamped and Signed on each page.	Yes / No
10.	Copy of Certificate of ISO/FDA/ WHO GMP/ ISO-13485 mark of any National / International Standard. if required.	Yes / No
11.	EMD. If claiming Exemption Undertaking may be given as per Annexure E	Yes / No
12.	The bidder must Produce work experience document. Bidder shall have experience of their work in last 3 financial years executing an order of SITC (Supply Installation Testing and Commissioning) of at least Rs. 40,000.00	Yes/No
13.	Latest No Conviction Certificate by FDA	Yes/No
14.	Drug Licence Certificate to be enclosed in accordance with the provisions of the Drugs and Cosmetics Act, 1940 and the rules framed thereunder	Yes/No
15.	Mandatory Documents required from the Manufacturer including above documents: 1) Manufacturer shall be holding WHO GMP or Schedule M GMP Certificate for last 03 Years. 2) Manufacturer shall be holding “Manufacturing and Marketing Certificate”.	Yes/No

It is verified that all the certificates/permissions/documents are valid and current as on date and have not been withdrawn/cancelled by the issuing authority. It is further verified that the represents at Sr. No. 04, 05 & 07 declaration part are as per the format prescribed by the Administration and it is clearly and distinctly understood by me/us that the tender is liable to be rejected if on scrutiny and of these certificates is found to be not as per the prescribed format of Administration.

I/We further undertake to produce on demand the original certificate/ permission/ document for verification at any stage during the processing of the tender.

Date:

Place:

Sign & Stamp of tenderer.

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ANNEXURE – C

(To be submitted on Rs.50 stamp paper)

NON-BLACKLISTING CERTIFICATE

**This affidavit shall be sworn before a Notary Public and submitted on
₹50/- non-judicial stamp paper as per legal requirement.**

I/ We hereby certify that the firm or any of its allied firms has not been currently blacklisted by any Central/State Government/Public Undertaking/Institute on any account.

I/ We hereby certify that the firm Bidder / its sister concerns / companies where its Promoters / Directors either directly or indirectly are involved, has not been currently blacklisted in tender / supplies by any state/Central Govt. Bidder should submit affidavit in this regard. The bidder should provide accurate information of litigation or arbitration resulting from contracts completed or under execution by him over the last three years. False affidavit would lead to blacklisting and termination of the contract at any stage. In such cases all the losses that will arise out of this issue will be recovered from the Tenderer / Contractor and he will not have any defence for the same. In case of bidder / principal is involved / penalized under any investigation of CVC or any State/Central Govt. Commission in relation to the similar work project issue; the bid will be out rightly rejected.

I/ We also certify that firm will provide the materials as per the specification given by the department and also abide all the terms & conditions stipulated in tender.

I/We also certify that the information given in bid is true and correct in all aspects and in any case at a later date it is found that any details provided are false and incorrect, any contract given to the concerned firm or participation may be summarily terminated at any stage, the firm will be blacklisted and department may impose any action as per rules.

Date: Name :

Place: Business Address :

Signature of Bidder :

Seal of Bidder :

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ANNEXURE- D
Sample Submission Letter

To,
The In-Charge,
Central Procurement Branch
2nd Floor, CHC Campus,
Fort -Area, Moti Daman
Daman – 396220
U.T. of DNH and DD
Email – cpbdaman106@gmail.com.

Reference: - Tender ID/No.

Subject: Submission of Samples

Respected Sir/Madam,

We are pleased to submit herewith the samples of **[Product/Material Name]** as requested by your office. We assure you that the samples represent the best quality standards maintained by our organization. Should you require any additional information, technical details, or further samples, we would be glad to provide them at the earliest.

Sr. No.	Product Name	Samples Submitted
1		
2		
3		
4		
5		
6		

Sign and Stamp of Tenderer

Samples received - Yes / No
(Department Signature & Seal)

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ANNEXURE – E
Proforma for Bid Security Declaration
(To be submitted on bidder's letterhead)

Whereas, I/We (name of agency) _____ have
submitted bids for purchase of _____ (name of
goods/works/services) for Tender No _____ dated: _____

I/We hereby submit following declaration in lieu of submitting Earnest Money Deposit.

1. If after the opening of tender, I/ We withdraw and /or modify my/our bid during the period of validity of tender (including extended validity of tender) as specified in the tender documents,
OR
2. If after the award of work, I/We fail to submit the performance guarantee (Security Deposit) or supply the goods/ works/ services before the deadline defined in the tender documents

I/We shall be suspended/blacklisted for one year and shall not be eligible to bid for any tenders published in UT of DNH & DD from the date of issue of suspension/ black list order.

Date:

Signature with Seal of the bidder(s)
Full Company address with contact details

Place: