

Corrigendum 12 to Bid Document Ver 14.0 (Applicable for all tenders opening on or after 01.06.2024)

The existing eligibility clause of RCF Bid document and modified Eligibility clause is as under:

Claus e No.	Existing Provision	Modified Provision
2.12	Items sourced from RCF/ RDSO/ ICF/ CLW/ DLW/ DLMW/ CORE approved vendors:	Items sourced from RCF/ RDSO/ ICF/MCF/CLW/ BLW/PLW/CORE approved vendors:
2.12.1	<p>Wherever necessary as per policy of procurement and is so indicated in the tender schedule, regular purchase order for bulk quantity will be normally placed only on approved vendors by authorized vendor approving unit for respective items viz.: -</p> <div><div>a)</div><div>RCF/ICF/MCF</div></div> <div><div>b)</div><div>RDSO,</div></div> <div><div>c)</div><div>Deleted</div></div> <div><div>d)</div><div>CLW,</div></div> <div><div>e)</div><div>DLW</div></div> <div><div>f)</div><div>DMW</div></div> <div><div>g)</div><div>CORE</div></div> <p>Note: i) any approved vendor of ICF Chennai and/or MCF Raibareli for any of the items listed in the vendor directory shall be treated as approved vendor of RCF based on the vendor directory of MCF and ICF valid on the date of tender opening. However, any vendor marked delisted in RCF's vendor directory for the item under procurement, will be treated as an unapproved vendor even if it is approved by MCF/ICF.</p> <p>ii) Any vendor approved and later on delisted by RCF's sister unit (ICF/MCF) will be considered unapproved by that unit only and case will be dealt accordingly.</p>	<p>Wherever necessary as per policy of procurement and is so indicated in the tender schedule, regular purchase order for bulk quantity will be normally placed only on approved vendors by authorized vendor approving unit for respective items viz.: -</p> <div><div>a)</div><div>RCF/ICF/MCF</div></div> <div><div>b)</div><div>RDSO,</div></div> <div><div>c)</div><div>CLW,</div></div> <div><div>d)</div><div>BLW</div></div> <div><div>e)</div><div>PLW</div></div> <div><div>f)</div><div>CORE</div></div> <p>Note: Any approved vendor of ICF Chennai and/or MCF Raebareli for any of the items listed in the vendor directory shall be treated as approved vendor of RCF based on the vendor directory of MCF and ICF valid on the date of tender opening. However, any vendor marked delisted in RCF's vendor directory for the item under procurement, will be treated as an unapproved vendor even if it is approved by MCF/ICF.</p>
2.12.2	The approval status of the firm will be reckoned as on the date of the tender opening and not thereafter except in case of downgrading / removal / suspension / banning etc. after opening of tender, when changes shall be taken into account while considering the offer.	No Change
2.12.3	If the works address indicated in the offer is different from what is indicated in the approval certificate issued by the respective vendor approval agency, then such offer will be treated as if the same has been received from an unapproved source.	No Change

Signature Not
Verified

Digitally signed by
SHAMSUL QAMAR

Date: 2024.06.17

19:05:41 +05'30'

Reason: IRIS-CRIS

Location: New Delhi

2.12.4	Deleted	<p>Developmental orders for items on Vendor Directory of RCF/MCF/ICF will be placed observing the following:</p> <ol style="list-style-type: none"> Developmental order upto maximum of 20% of NPQ (Net Procurement Quantity) will be placed on vendors whose name appears in vendor directory as developmental vendor and who has successfully completed the approval of prototype against any order placed by RCF/MCF/ICF. Limited Quantity Developmental orders for maximum upto 5% of NPQ outside the tendered qty can be placed on a firm who is on the vendor list as a developmental source but not yet completed the prototype approval against a previous developmental order. New/untried sources can be considered for Limited Quantity Developmental orders for maximum upto 5% of NPQ outside the tendered qty provided they submit along with their offer details of “In- house Key Infrastructural Facilities’ as per clause 2.13.6.1(b). Such tenderers are to note that non submission of such documents shall be taken as they are not having any such past performance and/or capacity, and their offer is liable to be rejected and no back reference in this regard will be made.
2.12.5	Deleted	No Change
2.12.6	<p>Minimum 80% quantity of NPQ shall be placed on approved vendors in terms of Para 2.17. Balance quantity may be considered for educational order on new source(s) in deserving cases and with strict compliance of extant procedure on such educational ordering as per Para 2.13.3.</p> <p>Note: Offers from authorized agents will be considered only if they submit tender specific authorization from the manufacturer in the prescribed Performa as Annexure 5.8, failing which their offer will be ignored summarily without making any further reference to them.</p>	<p>Note: Offers from authorized agents will be considered only if they submit tender specific authorization from the manufacturer in the prescribed Performa as Annexure 5.8, failing which their offer will be ignored summarily without making any further reference to them.</p>

2.12.7	<p>Quantity allocation:</p> <p>2.12.7.1 Developmental vendors shall be eligible for developmental order of 20% of NPQ in regular tenders. Total quantity to be ordered on developmental sources shall be limited up to 20% of NPQ in regular tenders. However, this is subject to a condition that rates of developmental vendors are lower than the rates of vendors eligible for regular orders.</p> <p>2.12.7.2 Approved vendors shall be eligible for bulk order, as per pre- defined tender conditions as per clause 2.17.</p> <p>2.12.7.3 Where there are not more than three Indian Suppliers categorized as Approved Vendor for a particular item, developmental vendors can be considered for placement of bulk order without any quantity restriction. However, while considering such vendors, factors including past performance, capacity, delivery requirements, quantity under procurement, nature of item, outstanding order load etc. shall be considered in a transparent manner, subject to rates being reasonable. Quantity allocation among eligible vendors shall be based on pre decided tender criteria. Indian Supplier shall be defined in Para 10 (e) of Public Procurement (Preference to make in India) order, 2017, which is as follows: A supplier or bidder shall be considered to be from India if (i) the entity is incorporated in India, or (ii) a majority of its share holding or effective control of the entity is exercised from India, or (iii) more than 50% of the value of the item being supplied has been added in India. (Ref: (i) Railway Board letter No. 2001/RS(G)/779/7 Pt.2 dated 06.11.2018. (ii) Railway Board letter No. 2001/RS(G)/779/7 Pt.2 dated 25.06.2018.</p>	No Change
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2.13	<p>Items for which no approved vendor list has been issued:</p> <p>In such cases, for being eligible for a regular order(s), the tenderer must have 'Relevant past performance as "as defined in the following 2.13.1. Further, up to 20% of the NPQ may be ordered on new sources also, as developmental order(s), on the basis of capacity cum capability of the source as defined in Para-2.13.3. However, this is subject to a condition that rates of developmental vendors are lower than the rates of vendors eligible for regular orders.</p>	<p>Items for which no approved vendor list has been issued:</p>
2.13.1	<p>Relevant Past performance for Regular orders:</p> <p>A firm/tenderer shall be considered to possess relevant past performance for satisfactory execution if they have successfully executed at least one order placed by RCF, Kapurthala/ICF, Chennai /MCF, Raebareli in the last four years as on the date of tender opening. The quantity to be ordered on such firm(s) shall depend on the past performance/quantity supplied in past/capacity of the firm(s).</p>	<p>Items which are not procured as per Railway Specification and are not having approved Vendors by any vendor approving authority of the Railway.</p> <p>A firm/tenderer shall be considered to possess relevant past performance for satisfactory execution if they have successfully supplied at least 25% of the tendered quantity against order placed by any Railway, Central Government organization, State Government organization, any Public Sector undertaking in the last four years as on the date of tender opening. The quantity to be ordered on such firm(s) shall depend on the past performance/quantity supplied in past/capacity of the firm(s).</p> <p>The past performance for satisfactory execution shall mean and include performance in respect of any of the following.</p> <ul style="list-style-type: none"> a) Tendered item, unless (b) or (c) is expressly specified in the tender schedule. b) Similar item c) Any of the tendered items as the case may be. d) For consideration of developmental orders up to 20% of NPQ, the tenderers must be able to demonstrate their Capacity-cum-Capability to manufacture the tendered item. For this purpose they should submit along with their offer, documented past performance reports of same or similar items of equivalent rating or equivalent performance Parameters, or any other details as may be warranted as per the technical specification and drawing. Such tenderers are to note that non submission of such documents as per Annexure 5.1 shall be taken as their not having any such past performance and/or capacity, and their offer

		shall be considered further as per extant rules and no back reference in this regard will be made to them.
2.13.2	<p>The past performance for satisfactory execution shall mean and include performance in respect of any of the following.</p> <ol style="list-style-type: none"> Tendered item, unless (b) or (c) is expressly specified in the tender schedule. Similar item or Any of the tendered items as the case may be. 	2.13.2 has been merged under 2.13.1, hence stands deleted.
2.13.3	<p>“Capacity-cum-Capability” for Developmental order:</p> <p>For consideration of developmental orders up to 20% of NPQ, the tenderers must be able to demonstrate their Capacity-cum-Capability to manufacture the tendered item. For this purpose they should submit along with their offer, documented past performance reports of same or similar items of equivalent rating or equivalent performance Parameters, details of M&P, testing facilities, QAP (if available), technical manpower available with them, registration for same/similar item(s) with other Government agencies or PSUs etc. or any other details as may be warranted as per the technical specification and drawing. Such tenderers are to note that non submission of such documents as per Annexure 5.1 shall be taken as their not having any such past performance and/or capacity, and their offer shall be considered further as per extant rules and no back reference in this regard will be made to them.</p>	2.13.3 has been merged under 2.13.1, hence stands deleted.
2.13.4	<p>Material to be procured from OEM or their authorized dealers / distributors:</p> <ol style="list-style-type: none"> Wherever so specified, the Railways reserve the right to place orders for either entire or bulk quantity on OEMs or their authorized dealers. Any firm quoting on behalf of OEM must submit tender specific authorization certificate in the prescribed Performa as Annexure 5.8 along with their offer and agree for inspection by the nominated agency(as the case may be) at the premises of their principals, failing which their offer shall be liable to be rejected. The following would be preferred in such cases: <ol style="list-style-type: none"> Inspection by RITES/RDSO/Nominated agency at the manufacturing premises of the relevant manufacturer. 	No change

	<p> RITES/RDSO/Nominated agency shall categorically confirm in the Inspection Certificate, that inspection of the material has been actually made in the manufacturing premises of the manufacturers and not in the warehouse/Godown/Shop of the dealer </p> <p> (ii) Direct dispatch from the premises of the manufacturer to the Railways consignee after inspection and acceptance by RITES/ RDSO. </p> <p> (iii) Submission of Manufacturer's Test and Guarantee Certificate with each lot of supply. </p> <p> (d) The OEM / Authorized dealers / agents must comply the following conditions, failing which their offer(s) will be ignored: </p> <p> (i) In a tender, either the Indian Agent on behalf of the Principal/OEM or Principal/OEM itself can bid but both cannot bid simultaneously for the same item/product in the same tender. </p> <p> (ii) If an agent submits bid on behalf of the Principal/OEM, the same agent shall not submit a bid on behalf of another Principal/OEM in the same tender for the same item/product. </p> <p> (iii) In the tender, one OEM can be represented by one Agent only. </p>	
2.13.5	<p> In case, Indian Agent quotes as a bidder (In Indian Rupee) on behalf of the Foreign Principal, then they have to submit the Performa invoice from their Principal along with their offer. Further, in event of finalization of contract on them, they will have to submit a copy of bill of entry or bill of lading as the case may be along with the bills submitted by them for claiming the payment. </p>	No change
2.13.6	<p> Items which are Railway specific and procured as per Railway's Drawings /Specifications but no approved list is maintained for these items. </p> <p> Eligibility Criteria for Items which are Railway specific and procured as per Railway's Drawing/Specifications :- </p> <p> Tenderers should concurrently meet following Eligibility Criteria mentioned in Para (a) and (b) hereunder for consideration of their offer for Regular order : </p> <p> (a) Past Performance : Tenderers should have successfully supplied </p>	<p> Items which are Railway specific and procured as per Railway's Drawings / Specifications but no approved list is maintained for these items. </p> <p> Eligibility Criteria for Items which are Railway specific and procured as per Railway's Drawing / Specifications :- </p> <p> (a) Past Performance : Tenderers should have successfully supplied the items SIMILAR to the tendered item/items :- </p> <p> (i) having the value minimum 20% of the estimated value of the </p>

the items SIMILAR to the tendered item/items :-

(i) having the value minimum 20% of the estimated value of the tendered item against one single order.

OR

(ii) having total value of minimum 30% of the estimated value of the tendered item against multiple orders.

to Railway PUs/Zonal Railways/Central or State Govt. Departments/Central/State PSUs during previous four years from the due date of tender

The term 'Items SIMILAR to the tendered item/items' means the items as defined in the tender schedule besides the tendered item(s) itself. These items are also alternatively referred as 'Similar items' in this clause of eligibility criteria.

Firm should submit necessary documentary proof showing the details of supplied items along with value, such as Receipt Notes for Stock items, Receipt & Acceptance documents for Non- Stock supplies, copy of invoices with acceptance particulars etc. In addition to above mentioned documents, firm should submit a summary sheet along with its e-Offer, in following format, to establish its claim for compliance of this clause:-

Purchase order/ Contract no	Contract placing agency	Details of document used as proof of supply*	Description of similar item/s supplied	Date of supply	Quantity of item/items	Value of supplied items
Total Value of similar items supplied (in Rs.)-						

*The date of the document produced as the proof of supply, will be considered as date of supply in case date of supply is not expressly shown in that document. Onus of submission of these documents lies completely with the tenderer only though RCF may utilize the Performance Records, if readily available with it.

In case of composite contracts that include the component of supply of similar item/items along with other supply/service components,

tendered item against one single order.

OR

(ii) having total value of minimum 35% of the estimated value of the tendered item against multiple orders.

to Railway PUs/Zonal Railways/Central or State Govt. Departments/Central/State PSUs during previous four years from the due date of tender

The term 'Items SIMILAR to the tendered item/items' means the items as defined in the tender schedule besides the tendered item(s) itself. These items are also alternatively referred as 'Similar items' in this clause of eligibility criteria.

Firm should submit necessary documentary proof showing the details of supplied items along with value, such as Receipt Notes for Stock items, Receipt & Acceptance documents for Non- Stock supplies, copy of invoices with acceptance particulars etc. In addition to above mentioned documents, firm should submit a summary sheet along with its e-Offer, in following format, to establish its claim for compliance of this clause:-

Purchase order/ Contract no	Contract placing agency	Details of document used as proof of supply*	Description of similar item/s supplied	Date of supply	Quantity of item/items	Value of supplied items
Total Value of similar items supplied (in Rs.)-						

*The date of the document produced as the proof of supply, will be considered as date of supply in case date of supply is not expressly shown in that document. Onus of submission of these documents lies completely with the tenderer only though RCF may utilize the Performance Records, if readily available with it.

In case of composite contracts that include the component of supply of similar item/items along with other supply/service

value of relevant supply component of similar items will be allowed to be considered for compliance of this clause, provided composite contract provides for a separable value of the similar item.

In case tenderer participates as an authorized agent, then the performance as required above shall be that of Principal. It may so happen that the agent has credentials of past supply for a different principal but this will not be considered as performance for placing bulk order in case of change of Principal. Conversely, as long as Principal remains the same, their performance shall be taken into cognizance irrespective of change in agents.

(b) In-house Key Infrastructural Facilities : Firm should manufacture the tendered Item using the Processes, M&P, Testing facilities etc. as per the Drawing/Specification/Schedule of Technical Requirement (STR), referred in the description of the tender item/tender schedule.

Firm must submit a declaration of having the key/essential infrastructure facilities (Machines & Plant, required for manufacturing, Testing etc.) in-house, as specified in relevant Drawing/ Specification/Schedule of Technical Requirement (STR). Details of these key/essential infrastructure facilities should also be submitted by the firm along with its e-offer failing which its offer liable to be rejected. However, RCF reserves the right to waive the submission of details required under this clause for those tenderers who have successfully supplied the tendered/similar item (any one item if more than one tendered items) to RCF/ICF/MCF against regular order(s) or developmental order(s) during previous four years from the due date of tender.

The format for submission of above mentioned details is as follows:-

ii Details of available Key/Essential Machinery and Plant for Manufacturing Testing etc				
Machine type/ function	Capability/ Capability of machine / Equipment	Make of machine / Equipment and model no	Year of Manufacture or Purchase	Special technology used in Machine functioning, if any

components, value of relevant supply component of similar items will be allowed to be considered for compliance of this clause, provided composite contract provides for a separable value of the similar item. In case tenderer participates as an authorized agent, then the performance as required above shall be that of Principal. It may so happen that the agent has credentials of past supply for a different principal but this will not be considered as performance for placing bulk order in case of change of Principal. Conversely, as long as Principal remains the same, their performance shall be taken into cognizance irrespective of change in agents.

	<p>RCF reserves the right to verify the key/essential infrastructural facilities declared by the firm in the tender, at any point of time - before or after the placement of the contract. In case, declaration is found to be false by RCF, appropriate actions including cancellation of contract, administrative action and recovery of damages etc. can be taken against the firm.</p>	
2.13.6.1	<p>Consideration of Offers for placement of Developmental Order in case where there is need to increase the vendor base :</p> <p>(i) Tenderers who do not comply eligibility criteria given under clause 2.13.6 Para (a), but comply only criterion under Para b) i.e 'In-house Key Infrastructural Facilities', fully may be considered for placement of developmental order/s up to maximum 20% of the Net Procurable Quantity.</p> <p>(ii) Vendors will be considered for placement of a developmental order-</p> <p>(a). Where the rates received from new source are lower than those applicable to approved sources of regular orders/ suitable for bulk supply based on eligibility criteria where there is no approved list, and where new source are having potential for supply of quality material and are having infrastructure of plant and machinery and testing equipment.</p> <p>(b) However , for the items where it is considered essential to go for placement of a developmental order on vendors whose received rates are higher than the rate applicable for approved sources for regular order/ suitable for bulk supply based on eligibility criteria where there is no approved list, such offers can also be considered for placement of a developmental order(s). Reasonability of rates in such cases should be thoroughly assessed. (suitable clause for applicability of one out of these two options for participation/elimination of vendors qualified for developmental order shall be mentioned in the tender.) Rly. Board letter No. 2021/RS(G)/779/21 Dt. 13/12/2021 and 2020/RS(G)/779/17 dated 16/12/2021.)</p> <p>(iii) Quantity on a developmental order will not be more than the quantity on any of the regular orders.</p>	<p>Consideration of Offers for placement of Developmental Order in case where there is need to increase the vendor base:</p> <p>a. Other sources who are past suppliers of same/similar items (similar items to be mentioned before issue of tender) but who do not meet the minimum past performance for Bulk orders specified under Clause 2.13.6(i) or 2.13.6(ii) can be considered for placement of developmental order for the quantity up to maximum 20% of the NPQ provided they submit necessary documentary proof showing the details of supplied items along with value as specified under these para. Such tenderers are to note that non submission of such documents shall be taken as they are not having any such past performance and/or capacity, and their offer will be rejected and no back reference in this regard will be made.</p> <p>b. New/untried sources can be considered for Limited Quantity Developmental order (for maximum upto 5% of NPQ outside the tendered qty) provided they should submit along with their offer details 'In-house Key Infrastructural Facilities', as per following:</p> <p>In-house Key Infrastructural Facilities : Firm should manufacture the tendered Item using the Processes ,M&P, Testing facilities etc. as per the Drawing/Specification/Schedule of Technical Requirement (STR), referred in the description of the tender item/tender schedule.</p> <p>Firm must submit a declaration of having the key/essential infrastructure facilities (Machines & Plant, required for manufacturing,Testing etc.) in-house, as specified in relevant Drawing/ Specification/Schedule of Technical Requirement (STR). Details of these key/essential infrastructure facilities should also be submitted by the firm along with its e-offer failing which its offer liable to be rejected. However ,RCF reserves the right to waive the submission of details required under this clause for those</p>

- (iv) Details of the process to be followed for development of new vendors are given in the Vendor Development Policy published at RCF's website <http://rcf.indianrailways.gov.in>.

tenderers who have successfully supplied the tendered/similar item (any one item if more than one tendered items) to RCF/ICF/MCF against regular order(s) or developmental order(s) during previous four years from the due date of tender.

The format for submission of above mentioned details is as follows:-

ii Details of available Key/Essential Machinery and Plant for Manufacturing Testing etc				
Machine type/ function	Capability/Capability of machine/ Equipment	Make of machine/ Equipment and model no	Year of Manufacture or Purchase	Special technology used in Machine functioning, if any

RCF reserves the right to verify the key/essential infrastructural facilities declared by the firm in the tender, at any point of time - before or after the placement of the contract. In case, declaration is found to be false by RCF, appropriate actions including cancellation of contract, administrative action and recovery of damages etc. can be taken against the firm.

c. Vendors will be considered for placement of a developmental order-

- (i) Where the rates received from new source are lower than those applicable to approved sources of regular orders/ suitable for bulk supply based on eligibility criteria where there is no approved list, and where new source are having potential for supply of quality material and are having infrastructure of plant and machinery and testing equipment.
- (ii) However , for the items where it is considered essential to go for placement of a developmental order on vendors whose received rates are higher

than the rate applicable for approved sources for regular order/ suitable for bulk supply based on eligibility criteria where there is no approved list, such offers can also be considered for placement of a developmental order(s). Reasonability of rates in such cases should be thoroughly assessed. (suitable clause for applicability of one out of these two options for participation/elimination of vendors qualified for developmental order shall be mentioned in the tender.) Rly. Board letter No. 2021/RS(G)/779/21 Dt. 13/12/2021 and 2020/RS(G)/779/17 dated 16/12/2021.)

- (iii) Quantity on a developmental order will not be more than the quantity on any of the regular orders.
- (iv) Details of the process to be followed for development of new vendors are given in the Vendor Development Policy published at RCF's website <http://rcf.indianrailways.gov.in>.