

RITES Ltd. /Contract Policy Cell/Gurugram

Standard EOI Document for Procurement of Consultancy Services, May-2023

Correction Slip No. 1

1. The existing clause 6.1 may be deleted and replaced with the following:

6.1 Availability of the Expression of Interest Document

The Expression of Interest Document **including Correction Slips (if any)** shall be published on the e-procurement Portal. (<https://etenders.gov.in/eprocure/app>). **The Correction Slips (CSs) are also available on RITES website www.rites.com and may be referred to by the bidder/consultant.** It shall be available for download after the date and time of the start of availability till the deadline for availability as mentioned in AEOI. Unless otherwise stipulated in AEOI, the downloaded Expression of Interest Document is free of cost. If the Procuring Entity happens to be closed on the deadline for submitting the EOIs as specified above, this deadline shall *not* be extended. Any query/ clarification regarding downloading Expression of Interest Document and uploading EOIs on the Portal may be addressed to their Help Desk (contact details given in AEOI).

2. In clause 4.2.3 there is a typographical error. In note below clause 4.2.3 (9), Sl. No. **a)** may be read as **i)**.
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3. Clause 5.4.2: Purchase Preference –

In Clause 5.4.2.1. (1st line) and Clause 5.4.2.2. (1st line), Para (i)(b) may be read as Clause 5.4.1

4. A new clause 5.5 may be inserted under clause 5.4.7:

5.5 Concurrent application of Public Procurement Policy for Micro and Small Enterprises Order, 2012 and Public Procurement (Preference to Make in India) Order, 2017

- 5.5.1 As indicated in Clause 5.3 & 5.4 above, Public Procurement (Preference to Make in India) Order 2017 (PPP-MII Order), revised on 16-09-2020 and Public Procurement Policy for the Micro and Small Enterprises (MSEs) Order, 2012 (PPP-MSE Order), revised on 09-11-2018, are applicable for the tender. A situation may arise when both the policies are to be concurrently applicable. Such situations shall be dealt as per Department of Expenditure (DOE), Ministry of Finance (MOF) Order No. F.1/4/2021-PPD dated 18.05.2023 which may be duly referred to for such situation. As per this order following provisions shall be applicable for Concurrent application

of the PPP-MII and PPP-MSE policies. In case of any clarifications on these policies, the provisions of the order dated 18.05.2023 including the example on applicability of the policy given as Annexure to said order shall prevail.

5.5.2 The Class-I local suppliers, under PPP-MII Order, participating in any tender, may or may not be MSEs, as defined under the MSME Act. Similarly, MSEs participating in any tender, may or may not be Class-I local suppliers. Suppliers may be categorised in following four broad categories for consideration or applicability of purchase preference:

Category	Terminology
Supplier is both MSE & Class-I local supplier.	“MSE Class-I local supplier”
Supplier is MSE but not Class-I local supplier.	“MSE but non-Class-I local supplier”
Supplier is not MSE but is Class-I local supplier.	“Non-MSE but Class-I local supplier”
Supplier is neither MSE nor Class-I local.	“Non-MSE non-Class-I local supplier”

5.5.3 The applicability of PPP-MSE Order and PPP-MII Order in various scenarios, involving simultaneous purchase preference to MSEs and Class-I local suppliers under PPP-MSE Order and PPP-MII Order respectively, shall be as under:

- a) Items covered under Para 3(a) of PPP- MII Order, 2017 for which sufficient local capacity and competition exists: For these items, only Class-I local suppliers are eligible to bid irrespective of purchase value. Hence, Class-II local suppliers or Non-local suppliers, including MSEs which are Class-II local suppliers/ Non-local suppliers, are not eligible to bid. Possible scenarios can be as under:
 - (i) L-1 is “MSE Class-I local supplier” - 100% of the tendered quantity is to be awarded to L-1.
 - (ii) L-1 is “Non-MSE but Class-I local supplier” - Purchase preference is given to MSEs as per PPP-MSE Order. Balance quantity is to be awarded to the L-1 bidder.
- b) Items reserved exclusively for procurement from MSEs as per PPP-MSE Order: These items are reserved exclusively for purchase from MSEs. Hence, non-MSEs are not eligible to bid for these items. Possible scenarios can be as under:
 - (i) L-1 is “MSE Class-I local supplier”- 100% of the tendered quantity is to be awarded to L-1.
 - (ii) L-1 is “MSE non- Class-I local supplier”- Purchase preference is to be given to Class-I local supplier as per PPP-MII Order. Balance quantity, is to be awarded to L-1 bidder.

c) *If items are neither notified for sufficient local capacity nor reserved for MSEs, then the process will be as follows:*

c (a) Items covered under Para 3A(b) of PPP-MII Order are divisible items and both MSEs as well as Class-I local suppliers are eligible for purchase preference. Possible scenarios can be as under:

- (i) L-1 is “MSE Class-I local supplier”- 100% of the tendered quantity is to be awarded to L-1.
- (ii) L-1 is “Non-MSE but Class-I local supplier” - Purchase preference is to be given to MSEs, if eligible, as per PPP-MSE Order. Balance quantity is to be awarded to L-1 bidder.
- (iii) L-1 is “MSE but non-Class-I local supplier” - Purchase preference is to be given to Class-I local suppliers, if eligible, as per PPP-MII Order. Balance quantity is to be awarded to L-1 bidder.
- (iv) L-1 is “Non-MSE non-Class-I local supplier” -Purchase preference is to be given to MSEs as per PPP-MSE Order. Thereafter, purchase preference is to be given to Class-I local suppliers for “50% of the tendered quantity minus quantity allotted to MSEs above” as per PPP-MII Order. For the balance quantity, contract is to be awarded to L-1 bidder.

c (b) Items covered under Para 3A(c) of PPP-MII Order, 2017 are non- divisible items and both MSEs as well as Class-I local suppliers are eligible for purchase preference. Possible scenarios can be as under:

- (i) L-1 is “MSE Class-I local supplier”- Contract is awarded to L-1.
- (ii) L-1 is not “MSE Class-I local supplier” but the “MSE Class-I local supplier” falls within 15% margin of purchase preference - Purchase preference is to be given to lowest quoting “MSE Class-I local supplier”. If lowest quoting “MSE Class-I local supplier” does not accept the L-1 rates, the next higher “MSE Class-I local supplier” falling within 15% margin of purchase preference is to be given purchase preference and so on.
- (iii) If conditions mentioned in sub paras (i) and (ii) above are not met i.e. L-1 is neither “MSE Class-I local supplier” nor “MSE Class-I local supplier” is eligible to take benefit of purchase preference, the contract is to be awarded/ purchase preference to be given in different possible scenarios as under:

A L1 is “MSE but non-Class-I local supplier” or “Non-MSE but Class-I local supplier” – Contract is awarded to L1.

B. L1 is “Non-MSE non-Class-I local supplier” - First purchase preference to be given to MSE as per PPP-MSE Order. If MSE not eligible/ does not

accept - purchase preference to be given to Class-I local supplier as per PPP-MII Order. If Class-I local supplier also not eligible/ does not accept – contract to be awarded to L-1.

- d) Items reserved for both MSEs and Class-I local suppliers: These items are reserved exclusively for purchase from MSEs as well as Class-I local suppliers. Hence, only “MSE Class-I local supplier” are eligible to bid for these items. Non-MSEs/Class-II local suppliers/ Non-local suppliers cannot bid for these items. Hence the question of purchase preference does not arise.
- e) Non-local suppliers, including MSEs falling in the category of Non-local suppliers, shall be eligible to bid only against Global Tender Enquiry.

5. Appendix to EOI Document (AEOI)

Under Sl. No. 4.0: Obtaining the EOI Document and clarification (EOI Document’s Clause 6):

A new row at the end may be inserted as given below:

The EOI Document shall be read with Correction Slip (CS) Nos. 1 to __. **(to be filled by Tender Inviting Authority)**

6. **Schedule II: Qualification Criteria:**

In Note to Consultant, Sl. No. 5) may be added at the end as given below:

5) The net worth of the bidder/consultant will be judged from the Audited Balance Sheet of the last financial year ending on a date not prior to 18 months from the due date for submission of the tender (or, if the due date is extended, such extended date of submission.)

7. **Form 2.2: Non-performance, Litigation Statement:**

In Note to Consultants (2nd Line) - Criteria 1(b) may be read as Criteria 2.

8. **Form 2.2: Non-performance, Litigation Statement:**

In the existing 1st line below Note under **Current and Past Proceedings, Litigation, Arbitration, Actions, Claims, Investigations and Disputes** i.e., No Proceedings, Litigation, Arbitration, Actions, Claims, Investigations and Disputes in the last five years, **‘five years’ may be replaced with ‘three years’.**

9. Form 3: Checklist for Consultants:

In Ist Column of the table, Sr 7.a may be read as 4.a

No. RITES/CPC/Correction Slip No. 1 (Standard EOI Document for Consultancy Services)
Date: 20.06.2023

The above Correction Slip No. 1 to Standard EOI Document for procurement of Consultancy Services, May-2023 is issued with the approval of the competent authority.

 20/6/23

(Pawan Chowdhry)
ED/B&A and Head/CPC

Copy to:

1. Secy. to CMD/DP/DT/DF for kind information please.
2. CVO for kind information please.
3. All Country Heads, Vertical Heads, Regional Heads, SBU Heads and PU Heads
4. AGM/IT for getting uploaded on RITES website under Tenders → Services Tender Documents → RITES Standard EOI Document for procurement of Consultancy Services, May-2023 (Correction slip No. 1) and on RITES ESS portal/ CPC Documents Tab