

Corrigendum-2 for D & E category stations vide Tender No. RailTel/OT/ER/HQ/2021-22/VSS/1308, Dated: 12.08.2021

S. No.	Tender Clause No. and Page No.	Original Tender Relevant Clause	Modified Clause
1.	Chapter-4A, Clause 4.A.14.1, SN-3	Note: i) In case of Consortium/JV, each member's relevant turnover combined together shall be considered against the above mentioned financial capability criteria.	Note: i) In case of Consortium/JV, each member's relevant turnover (as defined in Clause 4.A.15 of Chapter-4A) combined together shall be considered against the above mentioned financial capability criteria.
2.	Chapter-4A, Clause 4.A.14.1, SN-9	New Point	SN - 9, <u>Basic Requirement-</u> Financial Capability, <u>Eligibility Criteria Requirements-</u> As per clause no. 3 (b) of the PPP-MII Order dated 16.09.2020, only bidders offering minimum 20% of local content of supply portion of their offered bid (Class-I Local suppliers/bidders-minimum 50% LC and Class-II Local Suppliers/bidders- minimum 20% LC as per PPP-MII Order) are eligible to participate in this tender. Bid of bidders offering less than 20% local content of supply portion of their offered bid will be <u>SUMMARILY REJECTED</u>. <u>Supporting Document Required-</u> Undertaking on bidder's letter head as per Clause no. 4.A.45.2 and certificate by statutory auditor or cost auditor of the company as per Clause no. 4.A.45.2
3.	Chapter-4A, Clause 4.A.14.2, SN-2	Work experience certificate issued by Public listed company having average annual turnover of Rs 500 Cr and above in last 3 financial years excluding the current financial year, listed on National Stock Exchange or Bombay Stock Exchange, incorporated/registered at least 5 years prior to the date of opening of tender, shall also be	Work experience certificate issued by Public listed company having average annual turnover of Rs 500 Cr and above in last 3 financial years excluding the current financial year, listed on National Stock Exchange o r Bombay Stock Exchange or any global stock exchange,

Corrigendum-2 for D & E category stations vide Tender No. RailTel/OT/ER/HQ/2021-22/VSS/1308, Dated: 12.08.2021

		considered provided the work experience certificate has been issued by a person authorized by the Public listed company to issue such certificates.	incorporated/registered at least 5 years prior to the date of opening of tender, shall also be considered provided the work experience certificate has been issued by a person authorized by the Public listed company to issue such certificates.
4.	Chapter-4A , Clause 4.A.14.2, SN-3	Work experience certificate issued by Public listed company having average annual turnover of Rs 500 Cr and above in last 3 financial years excluding the current financial year, listed on National Stock Exchange or Bombay Stock Exchange, incorporated/registered at least 5 years prior to the date of opening of tender, shall also be considered provided the work experience certificate has been issued by a person authorized by the Public listed company to issue such certificates.	Work experience certificate issued by Public listed company having average annual turnover of Rs 500 Cr and above in last 3 financial years excluding the current financial year, listed on National Stock Exchange or Bombay Stock Exchange or any global stock exchange , incorporated/registered at least 5 years prior to the date of opening of tender, shall also be considered provided the work experience certificate has been issued by a person authorized by the Public listed company to issue such certificates.
5.	Chapter-4A, Clause 4.A.14.2, SN-6	Note – This clause is not applicable for OEMs, from country that shares a land border with India, registered with DPIIT as per para 4.A.18.6.	Note: OEM's from country that shares a Land Border with India are allowed to offer their products provided OEM's is registered with DPIIT as per Clause 4.A.18.6.
6.	Chapter-4-A, Clause 4.A.45	4.A.45 Preference to Domestic Manufacturers The provisions of the revised “Public Procurement (Preference to Make in India), Order 2017”, dated 16.09.2020 (and subsequent amendments, if any, till opening of the tender) by Department of Industrial Policy and Promotion, GoI shall apply to this tender to the extent feasible. The criteria for Capability (verifiable evidence that they have manufacturing capability to manufacture the specified quantity and supply the same with in stipulated time period), Equipment and Manufacturing facilities as well as net worth under the financial standing eligibility	4.A.45 Preference to Domestic Manufacturers The provisions of the revised “Public Procurement (Preference to Make in India), Order 2017”, dated 16.09.2020 (and subsequent amendments, if any, till opening of the tender) by Department of Industrial Policy and Promotion, GoI shall apply to this tender to the extent feasible. The criteria for Capability (verifiable evidence that they have manufacturing capability to manufacture the specified quantity and supply the same with in stipulated time period), Equipment and Manufacturing facilities as well as net worth under the financial standing eligibility criteria shall be applicable to local suppliers also.

		criteria shall be applicable to local suppliers also. Bidders seeking Purchase preference for any particular SOR item shall submit the documents/ declarations etc. as per latest DIPP guidelines and DOT (Ministry of Communications) Gazette dated 29th August, 2018 or the applicable/associated latest letters if any till date of opening of the bid. The necessary documentation for the individual items being declared to be Local shall be as per the stipulated guidelines as laid down in above mentioned policy letters and to be signed by the OEM as well as the bidder.	Bidders seeking Purchase preference for this tender shall submit the documents/ declarations etc. as per latest DIPP guidelines and the applicable/associated latest letters if any till date of opening of the bid. The necessary documentation for items being declared to be Local shall be as per the stipulated guidelines as laid down in above mentioned policy letters and to be signed by the OEM as well as the bidder.
	4.A.45.1	Bidders seeking Purchase preference (linked with Local content) (PPP-MII) shall be required to meet/exceed the target of Local Content (LC) of <u>70%</u>%. Bidders meeting the criteria of 70% are called as LC Bidders and other will be called as Non-Local Content (NLC) bidders.	4.A.45.1 As per clause no. 3 (b) of the PPP-MII Order dated 16.09.2020, only bidders offering <u>minimum 20% of local content of supply portion of their offered bid</u>(Class-I Local suppliers/bidders-minimum 50% LC and Class-II Local Suppliers/bidders- minimum 20% LC as per PPP-MII Order) are eligible to participate in this tender. Bid of bidders offering less than 20% local content of supply portion of their offered bid will be SUMMARILY REJECTED. As per DPIIT's OM dated 4th March 2021, services such as transportation, insurance, installation, commissioning, training and after sales service support like AMC/CMC etc. can't be claimed as local value addition.
	4.A.45.1.1	Such bidders shall furnish following certificates on its letter head along with their techno-commercial bid. The undertaking shall become a part of the contract. <i>"We M/s. _____ (Name of bidder) hereby certify that we meet the mandatory minimum Local Content requirements of the tender i.e. <u>70%</u>"</i>	4.A.45.2 The margin of purchase preference shall be 20% and shall be given to 'Class-I local supplier'. 'Margin of purchase preference' means the maximum extent to which the price quoted by a Class-I local supplier may be above the L1 (Class-II

		<i>quoted vide offer No.____ dated_____ against RailTel tender No._____ by us.”</i> 4.A.45.1.2 Above undertaking shall be supported by the following certificate form Statutory Auditor engaged by the bidder, on the letter head of such Statutory Auditor. <i>“We_____ the statutory auditor of M/s.____ (name of the bidder) hereby certify that M/s._____ (name of bidder) meet the mandatory Local Content requirements of the Project Work under this tender i.e. __70%__ (to be filled by the work center) quoted vide offer No.____ dated____ against RAILTEL tender No._____ by M/s. _____ (Name of the bidder).</i> Note: In case of bidder(s) for whom Statutory Auditor is not required as per law, required certificates shall be provided by a practicing Chartered Accountant. 4.A.45.1.3 At the bidder stage the bidder shall provide Break-up of “Local Component” and “Imported Component” in the prescribed format as enclosed Annexure –II (Chapter-7) and shall be uploaded by the bidders along with their price bid in the e-procurement portal.	local supplier) for the purpose of purchase preference. Class-I & Class-II Suppliers/Bidders shall furnish following undertaking on their letter head along with their technical bid clearly mentioning % of local content. The undertaking shall become a part of the contract. <i>“We M/s. _____ (Name of bidder) hereby certify that we are offering minimum Local Content of _____% of supply portion of our offered bid in our offer No.____ dated_____ against RailTel tender No._____.”</i> 4.A.45.3 Since value of procurement under this tender is more than ₹ 10 Cr, Class-I & Class-II local suppliers/bidders are required to provide a certificate (with UDIN number) from the statutory auditor or cost auditor of the company giving percentage of local content of all scheduled supply items. Undertaking mentioned in Clause 4.A.45.2 shall be supported by the following certificate issued by Auditor on their letter head as mentioned below <u>(to be submitted with technical bid):</u> <i>“We_____ the statutory auditor/cost auditor of M/s.____ (name of the bidder) hereby certify that M/s._____ (name of bidder) are offering_____% Local Content against the supply item of the Project Work under this tender in accordance with DPIIT’s PMI Policy & it’s clarifications/guidelines vide offer No._____</i>
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Corrigendum-2 for D & E category stations vide Tender No. RailTel/OT/ER/HQ/2021-22/VSS/1308, Dated: 12.08.2021

		entire contract shall be awarded to valid NLC L 1 bidder.			Clause 4.B.9.1.12, if L1 is a Class-I bidder then the contract will be awarded to L1. If L1 is a Class-II bidder then only those Class-I bidders, whose bids after completion of e-RA are within 20% of the Class-II L1's bid, would be allowed an opportunity to match L1's bid as detailed in Para 3A(c) of DPIIT's PMI Policy dated 16-09-2021. All the such eligible Class-I bidders shall be asked to submit their confirmation to match their price in sealed envelopes as per PMI Policy. Envelopes of the bidders shall be opened and award for the complete tender shall be made to the lowest evaluated TA/CA (Techno-Commercial Acceptable) bidder among the eligible Class-I bidders. In case the lowest eligible Class-I bidder fails to match L1 price, the offer of next eligible Class-I bidder in sealed envelope will be checked and so on. In case none of the eligible Class-I bidders matches the Class-II bidder's L1 bid, complete contract will be awarded to the Class-II bidder holding L1 price.
	4.A.45.4	For the purpose of this policy, all terms used vide aforesaid policy shall be governed by the definitions specified in Para 2 of the policy document notified by DIPP vide letter No. P-45021/2/2017-B.E.-II dated 15.06.2017 (including its revision issued on 16.09.2020).			
	4.A.45.5	The successful bidder shall be obliged to fulfill the requirements of quality and delivery time in accordance with the provisions of the Purchase order/contract.			
	4.A.45.6	RailTel(RCIL) shall have the right to satisfy itself of the production capability and product quality of the manufacturer.			
	4.A.45.7	Determination of LC			4.A.45.8 For the purpose of this policy, all terms used vide aforesaid policy shall be governed by the definitions specified in Para 2 of the policy document notified by DIPP vide letter No. P-45021/2/2017-B.E.-II dated 16.09.2020.
	4.A.45.7.1	LC of bid offer shall be the ratio of the whole cost of domestic component in the combination of goods and services to the whole combined cost of goods and services.			
	4.A.45.7.2	The whole combined cost of goods and services shall be the cost spent to produce the combination of			4.A.45.9 The successful bidder shall be obliged to fulfill the requirements of quality and delivery time in accordance with the provisions of the Purchase order/contract.

		goods and services, which is incurred on work site. LC of the combination of goods and services shall be counted in every activity of the combination work of goods and services. 4.A.45.7.3 The spent cost as mentioned in paragraph 4.A.45.8.2 shall include production cost in the calculation of LC of goods as at clause 4.A.45.7.3.1 and service cost in the calculation of LC of services as mentioned in clause 4.A.45.7.3.2. 4.A.45.7.3.1 Calculation of LC of goods: LC shall be computed on the basis of the cost of domestic components in goods, compared to the whole cost of product. The whole cost of product shall be constituted of the cost spent for the production of goods, covering direct component (material) cost, direct manpower cost, factory overhead cost and shall exclude profit, company overhead cost and taxes for the delivery of goods. 4.A.45.7.3.2 Calculation of LC of Services: LC of Service shall be calculated on the basis of the ratio of service cost of domestic component in service total cost of service. i) The total cost of service shall be constituted of the cost spent for rendering service, covering:	
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		a) Cost of component (material), which is used. b) Manpower and consultant cost, cost of working equipment/facility and c) General service cost, excluding profit, company overhead cost, taxes and duties. ii) Determining of Local Content: The determination of local content of the working equipment/facility shall be based on the following provision: Working equipment produced in the country is valued as 100% (one hundred percent) local content working equipment produced abroad is valued as much as nil (0% percent) local content. 4.A.45.8 Calculation of LC and Reporting 4.A.45.8.1 LC shall be calculated on the basis of verifiable data. In case of data used in the calculation of LC being not verifiable, the value of LC of the said component shall be treated as nil. 4.A.45.8.2 Formats for the Self Certification as given in DOT (Ministry of Communications) Gazette notification issued dated 29th August, 2018 on LC of goods is	
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		placed at FORM-13 for submission by the bidder.	
	4.A.45.9	Certification and Verification	
	4.A.45.9.1	Bidder seeking Purchase Preference under the policy, shall be obliged to verify the LC of goods as follows:	
	4.A.45.9.1.1	At bidding stage:	
		a) Price Break-up (i) The bidder shall provide break-up of “Local Component” and “Imported Component” along with the price bid as per provisions under clause 4.A.45.1.3. (ii) Bidders must have LC in excess of the specified requirement. b) Undertaking by the bidder (i) The bidder shall submit undertaking along with the techno-commercial bid as per clause No. 4.A.45.1.1, such undertaking shall become a part of the contract. (ii) Bidder shall also submit the list of items/services to be procured from	

		Indian manufacturers/service providers.	
	4.A.45.9.1.2	After Contract Award	
	a)	In the case of procurement cases with the value less than Rs. 10 crore (Rupees Ten Crore), the LC content may be calculated (self-assessment) by the contractor and certified by the Director/Authorized Representative of the Company.	
	b)	The verification of the procurement cases with the value Rupees Ten Crore and above shall be carried out by a Statutory Auditor engaged by the bidder.	
	4.A.45.9.2	Each supplier shall provide the necessary local content documentation to the statutory auditor, which shall review and determine the local content requirements have been met and issue of local content in the good or service measured. The Auditor shall keep all necessary information obtained from supplier for measurement of Local Content confidential.	
	4.A.45.9.3	The Local Content certificate shall be submitted	

		along with each invoice raised. However, the % of local content may vary with invoice while maintaining the overall % of Local Content for the total work/purchase of the pro-rata Local Content requirement. In case, it is not satisfied cumulatively in the invoices raised up to the stage, the supplier shall indicate how the local content requirement would be met in the subsequent stages. 4.A.45.9.4 Where currency quoted by the bidder is other than Indian Rupees, exchange rate prevailing on the date of notice inviting tender (NIT) shall be considered for the calculation of Local Content. 4.A.45.9.5 RAILTEL shall have the authority to audit as well as witness production processes to certify the achievement of the requisite local content.	
7.	Chapter-6, Form No. 8	I/we also understand that if the certificates submitted by us are found to be false/forged or incorrect at any time after the award of the contract, it will lead to termination of the contract, alongwith forfeiture of SD and Performance Guarantee besides any other action provided in the contract including banning of business for five year on entire RailTel.	I/we also understand that if the certificates submitted by us or by OEM's of the offered Hardware/Software are found to be false/forged or incorrect at any time after the award of the contract, it will lead to termination of the contract, alongwith forfeiture of SD and Performance Guarantee besides any other action provided in the contract including banning of business for five year on entire RailTel.
8.	Chapter-7, Annexure-II	Annexure– II - CALCULATION OF LOCAL CONTENT 1. Under present DIPP PPP-MII policy issued vide their order	Deleted

		No. P-45021/2/2017-PP (BE-II) dated 28-05-2018 or latest, Notification of DoT issued vide No. 18-10/2017-IP dated 29-08-2018 and PPO 2017 by MeitY issued vide Notification No. 33(1)/2017-IPHW dated 14.09.2017 and Notification No. 33(5)/2017-IPHW dated 01.08.2018), following products, covered under the RFP, are protected: a) Type-IV Switch (IP-MPLS Routers) (PMI- 50%, LC - 60%) b) Ethernet Switches (PMI -50%, LC -60%) c) Security and Surveillance Communication Systems (video and sensors based) including Perimeter Security Systems- Cameras (PMI -100%, LC -50%) d) Optical Fiber (PMI -50%, LC -50%) e) Optical Fiber Cable (PMI -75%, LC -55%) f) Telecom Power System (PMI -50%, LC -55%) g) Telecom Battery (PMI -50%, LC -55%) PMI – Minimum preference in % (of total quantity being procured) for Make in India Telecom Products, Services or Works as indicated against each financial year LC – Minimum Local Content as a percentage of total Bill of Material (cost of production) to qualify as Make in India Telecom Products, Services or Works as indicated against each financial year Note: For other items, not mentioned above, minimum local	
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		content shall be 50% (Clause no. 5 of PMI Policy dated 16-09-2020). 2. Domestic manufacturers of items in para 1 above shall be protected if they meet minimum local content requirement. This RFP being a composite tender, where System Integrators (SIs) are supposed to bid with most economic cost to them. Under such circumstances, the SIs are free to choose various products depending upon the solution, convenience, economy or any other reason. 3. OEM for any product required for the work, covered under PPP-MII, has to submit a certificate against meeting the requirement of local content, as per PPP-MII guidelines, either as self-declaration (if value of procurement is less than 10 crore) or as a certificate issued by their statutory auditors or cost auditors (if value of procurement is more than 10 crore). 4. As item against “Security and Surveillance Communication Systems (video and sensors based) including Perimeter Security Systems” does not include products from one OEM, the Local Content shall be calculated as <table><tr><td>Value of Local Content in %</td><td>=</td><td>(Total offered Value of all sub-items in the bid) – (Total value of non-LC sub-items)</td></tr></table>	Value of Local Content in %	=	(Total offered Value of all sub-items in the bid) – (Total value of non-LC sub-items)	
Value of Local Content in %	=	(Total offered Value of all sub-items in the bid) – (Total value of non-LC sub-items)				

				Total offered Value of all sub-items in the bid		
		If the value of Local Content, calculated above, is more than 50% (for FY 2019-20 onwards), the total value of the combined product (to qualify against item no. 24 of Table-A of DoT Notification-LC percentage increased in accordance with para-5 of PMI policy dated 16-09-2020) shall be considered as Local Content. Bidder has to submit calculation as per the above formula duly certified by their statutory auditor or cost auditor. This has to be submitted with the technical bid. 5. If any product covered under protected list has not been offered as domestically manufactured product with requisite local content, total value of the offered product will not be considered as Local Content in the overall bid. Total value of all such protected domestically manufactured products, not offered with requisite Local Content, (say non-LC items) along with other foreign items shall be deducted from the overall value of the bid to calculate the LC Value. The same is reproduced as under:				
		Value of Local Content in %	=	(Total Bid Value) – (Total value of all Non-LC items)		
				Total Bid Value		

		Further, as per notification of DoT issued vide No. 18-10/2017-IP dated 29-08-2018, the proposed work is considered as Telecom Services/Works (S.No. 36 of Table-A). Therefore, if the value of Local Content, calculated above, is more than 70%, the bid shall be considered for preference under PPP-MII policy. As this a solution based turnkey project (as per Scope of work mentioned in Clause no. 3.A.1.4.1 of Tender Document) and bidders are required submit their bids based on their technical solution based on RDSO specification along with integration of existing VSS infra, therefore, it is not possible to divide this project and clause no. 3A(c) of PMI policy dated 16-09-2020 is applicable. Therefore, complete work as per SOR (Chapter-2) will be allotted to one of the eligible bidder. Accordingly, Bidder meeting the criteria of more than 70% of Local content will be considered for price preference of 20%. Bidder has to submit calculation as per the above formula duly certified by their statutory auditor or cost auditor. This has to be submitted with the technical bid. 7. Bidder is also required to declare against each SOR item, whether, the offered product is falling under domestic/foreign category. If the offered product is a notified domestic item then bidder has to submit all documents as mentioned in the notifications/guidelines of	
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Corrigendum-2 for D & E category stations vide Tender No. RailTel/OT/ER/HQ/2021-22/VSS/1308, Dated: 12.08.2021

		Gol regarding domestic product/s along with the bid to qualify offered product/s as a domestic product/s and consideration in evaluation of domestic bid. In case of non-submission of required documents, offered product will not be treated as domestic product.	
9.	Chapter-7, Annexure-IV, Point-6 (Functional Requirement for POC), 1.4	New point	<u>Functional Requirement for POC</u> –In case of any failure or interruption of IP network between VMS server and Camera (Full HD & PTZ Camera), the Camera shall automatically start recording on Edge Storage Memory Card at resolution and frames per second as required and when the network recovers, the Video data shall automatically be transferred to the External Storage Device/Server/NVR installed at respective Stations or RPF/GRP Thana/Post without any impact on the system operations. <u>Result (Pass/Fail) -</u>
10.	Chapter-7, Annexure-IV, Point-6 (Functional Requirement for POC), 1.5	New point	<u>Functional Requirement for POC –</u> Once the Panic Button is activated by any person in distress, an alarm shall appear on the VMS along with the pop-up of the associated camera on the operator workstation.

Corrigendum-2 for D & E category stations vide Tender No. RailTel/OT/ER/HQ/2021-22/VSS/1308, Dated: 12.08.2021

			<u>Result (Pass/Fail) -</u>
11.	Chapter-9, Point-13 of Check List	The manufacturer claiming to qualify under the scope of rules for PMA (Preferential Market Access) must submit the declaration of VA (Value Addition) as required under the issued notification for the specified period (2018-19, 2019-20 & 2020-21) as mentioned in Clause 4.A.14 of Chapter-4.	13(a) Undertaking by bidder on their letter head as per Clause 4.A.45.2 of Tender document. 13(b) Certificate by <i>Statutory Auditor/Cost Auditor</i> on their letter head (with UDIN number) as per Clause 4.A.45.3 of Tender document.

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