



ISO 9001:2015

प्रशासन विभाग मुख्यालय
इंटर ऑफिस मेमो

प्रेषक: General Manager (Admn.), Head Office	प्राप्तकर्ता: All Regional Heads All Procurement Departments at Head Office/HSMI All EDs/GMs
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दिनांक: 18.01.2023

Sub: New Features on GeM – Unworkable Rates – reg.

- Ref: 1. Govt. of India, Principal Accounts Office (Admn.), Ministry of Housing and Urban Affairs, Nirman Bhawan, New Delhi's E-mail dated 17.01.2023**
- 2. Govt. of India, Principal Accounts Office (Admn.), Ministry of HUA's Office Memorandum dated 13.01.2023 & E-Mail dated 11.01.2023 alongwith Government-e-Marketplace -L1 Unworkable User Manual – Buyer & Seller V1.0**

With regard to the above, kindly find attached the E-mail dated 17.01.2023, Office Memorandum dated 13.01.2023 alongwith E-mail dated 11.01.2023 & Government-e-Marketplace -L1 Unworkable User Manual – Buyer & Seller V1.0 received from Govt. of India, Principal Accounts Office, Ministry of Housing and Urban Affairs, Nirman Bhawan, New Delhi, which are self explanatory, for information and further necessary action.

सभी क्षेत्रीय प्रमुख/मुख्यालय/एच एस एम आई के सभी प्रोक्योरमेंट डिपार्टमेंट के सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित किया जाता है।

This issues with the approval of Competent Authority.


18/01/2023

वेद प्रकाश

सहायक महाप्रबंधक (प्रशासन)

संलग्न: उपरोक्तानुसार

PM

Email

admnhudco@hudco.org.in

New Feature on GeM - Unworkable Rates - reg.

From : Pr.Accounts office <prao-mhua@gov.in>
Subject : New Feature on GeM - Unworkable Rates - reg.

Tue, Jan 17, 2023 03:59 PM

📎 1 attachment

To : Harish Kumar Bangar <cpwd_dgd@nic.in>, abhishek bhagotia <abhishek.bhagotia@gmail.com>, gour sarkar <gour.sarkar@gov.in>, Suvasish Das Land and Development Officer <ldo@nic.in>, Umraw Singh Director General NBO <umraw.s@gov.in>, Rajeev Ranjan <ranjan.rajeev75@gov.in>, O/o CP, TCPO <cp-tcpo-mud@nic.in>, Bishamber Dhar <dca.giso@nic.in>, LUCY JYOTI BECK <acop-dep@nic.in>, duac1974@gmail.com, vcdda@dda.org.in, MS <ncrpb-ms@nic.in>, director@niu.org, gandhisamadhi@gmail.com, ska@bmtpc.org, cgewho <cgewho@nic.in>, nchf2001@yahoo.com, Ministry Coordination <min.coord@nbccindia.com>, admnhudco@hudco.org.in, hplcmd@gmail.com, MD DMRC <mdmetro@dmrc.org>, md cmrl <md.cmrl@tn.gov.in>, md@bmrc.co.in, mdlucknowmetro@gmail.com, cmd jmrc <cmd.jmrc@gmail.com>, Loknath Behera <md@kmrl.co.in>, md@gujaratmterorail.com, md@mahamtero.org, md office <md.office@mmrcl.com>, md@kmrc.in, mmrcnoida@gmail.com, mpmetro@mpmrcl.in, md office <md.office@ncrtc.in>, apmetrorail@gmail.com, kvb reddy <kvb.reddy@ltmetro.com>

Cc : Jyoti Vinod <jyoti.vinod@nic.in>

Respected Sir/Madam,

Please find attached this office OM dated 13.01.2023 regarding the above-mentioned subject for your information and further necessary action.

Regards,

Senior Accounts Officer,
Principal Accounts Officer (Admin.),
Ministry of Housing and Urban Affairs,
Nirman Bhawan, New Delhi-110011.
Contact no. 011-23061283

148

75
Azadi Ka
Amrit Mahotsav



वसुधैव कुटुम्बकम्
ONE EARTH • ONE FAMILY • ONE FUTURE

Pr.AO OM 5447-48 dated 13.01.2023 A.pdf
2 MB

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Computer No.: 9062037
GOVERNMENT OF INDIA
PRINCIPAL ACCOUNTS OFFICE (Admn)
Ministry of Housing and Urban Affairs
Room No.-202, F-Wing, Nirman Bhawan,
New Delhi - 110011
Ph: 011-23061283, 23062320

No. D-13020/PrAO/HUA/GeMAdmin/2022-23/ 5447-4 8

Date: 13.01.2023

OFFICE MEMORANDUM

Subject: New Feature on GeM - Unworkable Rates - reg.

Reference is invited to Director GeM email, dated 11.01.2023 (copy enclosed), regarding dealing with cases of Unworkable L1 on GeM Portal.

2. In this regard, Director, Category Management - GeM has informed that there was no provision on GeM for dealing with cases of Unworkable L1. As a result, such requests were handled from the GeM backend. **Feature to handle unworkable L1s has now been introduced on GeM** and the User Manual is enclosed herewith for your information and further necessary action.
3. This issues with the approval of Competent Authority.





(Jyoti Vinod)
Sr. Accounts Officer

To,

1. All GeM Stakeholders aligned with MoHUA
2. SO (IT) Cell for uploading the OM on e-office Notice Board

Encls: As above.

New Feature on GeM- Unworkable Rates

From : Ayush Aggarwal <ayush.aggarwal@gem.gov.in> Wed, Jan 11, 2023 11:24 AM
Subject : New Feature on GeM- Unworkable Rates 
To : ayush agarwal <ayush.aggarwal@gem.gov.in>  1 attachment
Cc : Sourav Banerjee <srtech-exec@gem.gov.in>
Reply To : Ayush Aggarwal <ayush.aggarwal@gem.gov.in>

Dear Sir/Madam (in bcc),

As per DoE Manual for procurement of Goods:

'An Abnormally Low Bid is one in which the bid price, in combination with other elements of the Bid, appears so low that it raises material concerns as to the capability of the bidder to perform the contract at the offered price. Procuring Entity may in such cases seek written clarifications from the bidder, including detailed price analyses of its bid price in relation to scope, schedule, allocation of risks and responsibilities, and any other requirements of the bid's document. If, after evaluating the price analyses, Procuring Entity determines that the bidder has substantially failed to demonstrate its capability to deliver the contract at the offered price, the Procuring Entity may reject the bid/proposal. However, it would not be advisable to fix a normative percentage below the estimated cost, which would automatically be considered as an abnormally low bid. Due care should be taken while formulating the specifications at the time of preparation of bid document to have a safeguard against the submission of abnormally low bid from the bidder.'

There was no provision on GeM for dealing with cases of Unworkable L1. As a result, such requests were handled from the backend. Feature to handle unworkable L1s has been introduced on GeM. User Manual is attached and may please be shared with the concerned officials in respective organizations.

- There is no change in the Bid Creation and technical evaluation process flow for unworkable.
- Following the opening of the financial bid (Financial Ranking), the buyer will have the option to 'Seek Price Justification' for all sellers. However, the option to Reject as Unworkable will appear sequentially (L1, L2, L3, etc..).
- The 'Challenge Rejection Window' will function similarly to the 'Challenge Rejection Window.' in the Technical Representation Window' following technical evaluation, except that it will be sequential here. That is, if L1 is rejected, the buyer must first respond with a decision on the challenge. Only then can he proceed with another seller (which could be another L1 (multiple L1) or L2). For bids with a duration of fewer than 10 days, the buyer will have the option to bypass this challenge rejection with a suitable advisory similar to technical evaluation
- When marking a seller as 'Unworkable', the reason in the dropdown will be

- a. Abnormally Low Rate(for Goods and Services both)
- b. Statutory Non-compliant(Only for Services)

followed by a mandatory text box(1000 char) and mandatory CA approval upload.

Note - Bid to RA cases will be continuing to handle from the backend

Thanks,
Ayush Aggarwal
Director, Category Management
Government E Marketplace



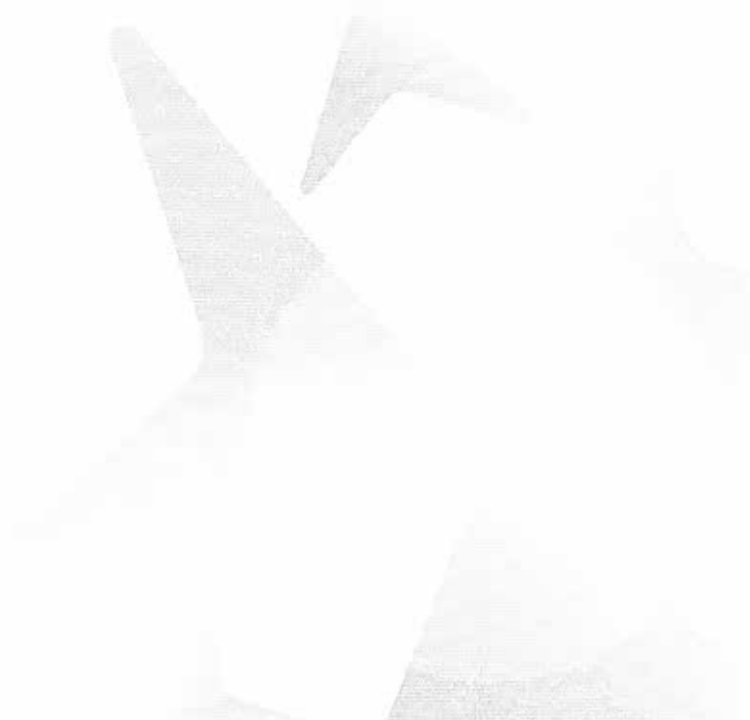
 **User Manual L1 Unworkable.pdf**
1 MB



L1 Unworkable

USER MANUAL – Buyer & Seller

V1.0





- 1. OVERVIEW..... 3
- 2. USE OF L1 UNWORKABLE..... 3
- 3. BID CREATION FLOW..... 3
- 4. BID TECHNICAL EVALUATION 3
- 5. BID FINANCIAL EVALUATION..... 5



1. Overview

As per DoE Manual for procurement of Goods:

‘An Abnormally Low Bid is one in which the bid price, in combination with other elements of the Bid, appears so low that it raises material concerns as to the capability of the bidder to perform the contract at the offered price. Procuring Entity may in such cases seek written clarifications from the bidder, including detailed price analyses of its bid price in relation to scope, schedule, allocation of risks and responsibilities, and any other requirements of the bid’s document. If, after evaluating the price analyses, Procuring Entity determines that the bidder has substantially failed to demonstrate its capability to deliver the contract at the offered price, the Procuring Entity may reject the bid/proposal. However, it would not be advisable to fix a normative percentage below the estimated cost, which would automatically be considered as an abnormally low bid. Due care should be taken while formulating the specifications at the time of preparation of bid document to have a safeguard against the submission of abnormally low bid from the bidder.’

Currently on GeM there is no provision to deal with cases of unworkable L1. Hence, such requests are dealt from backend.

2. Use of L1 Unworkable

2.1. This will be used by the buyer for the abnormally low bids

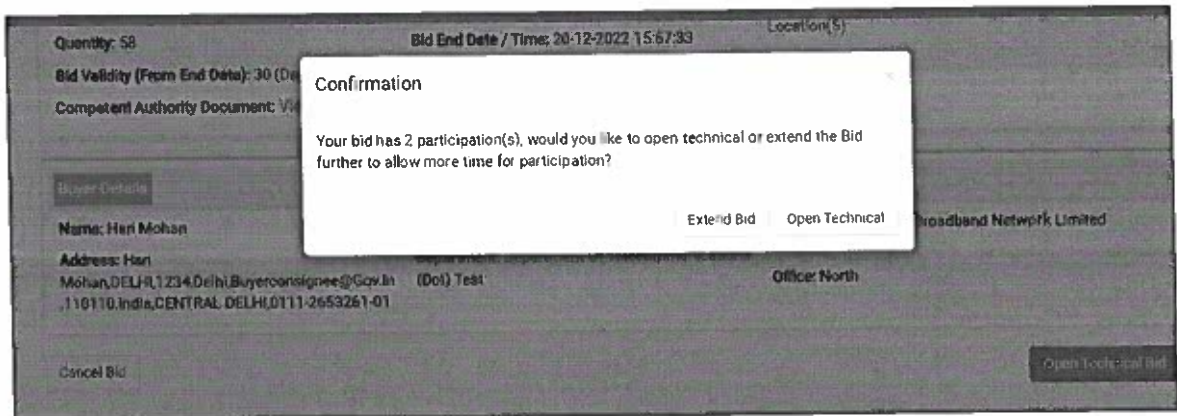
3. Bid Creation Flow

3.1. The bid creation flow will remain unchanged; there will be no changes to the bid creation flow.

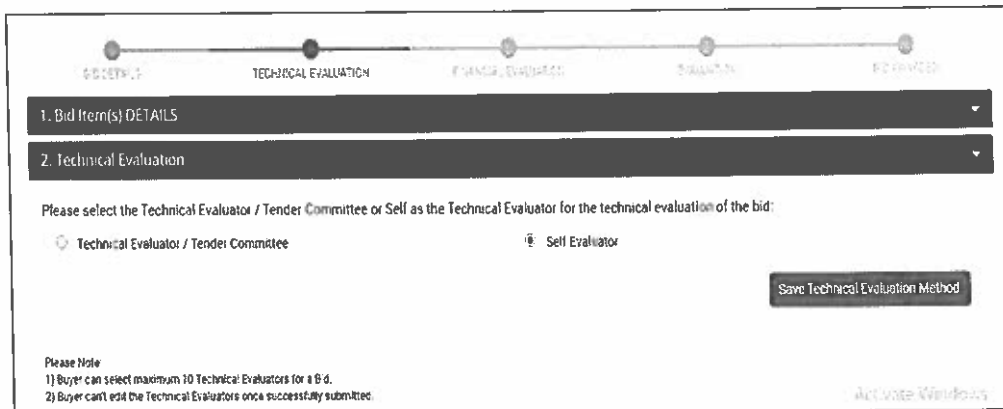
3.2. It will be applicable for both products and services.

4. Bid Technical Evaluation

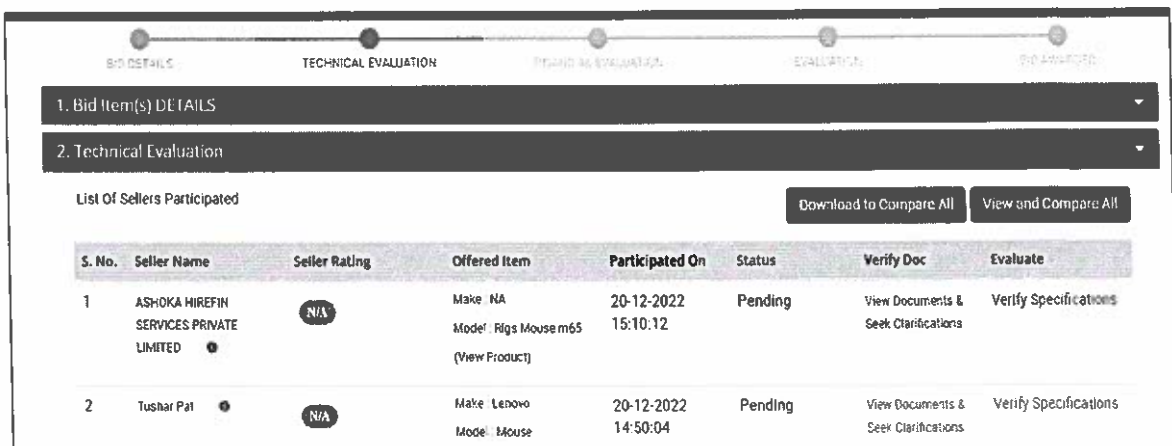
4.1. The Buyer proceeds with the Bid for Technical Evaluation of the bidders after Seller Participation ends.



4.2. Buyer can select a technical evaluator or can self-evaluate Technical and Financial



4.3. The List of Sellers participated in the Bid can be viewed in the “Technical Evaluation” page.



4.4. Buyer can view all the documents provided by the bidder, seek clarifications against them and can proceed with accepting or rejecting the offer during Technical Evaluation



Technical Specifications Comparison

Bid Number : GEM/2022/B/89376 Print Draft Summary Accept Reject

Seller Name : ASHOKA HIREFIN SERVICES PRIVATE LIMITED

computer mouse or trackballs
(Minimum 50% Local content required for MII compliance)

Specification	Title	Bid Requirement (Allowed Values)	Offered
Ungrouped	Warranty (years)	1, 2, 3	2
	Weight (gram)	10, 20, 30, 40, 50	20
	Connectivity	Wired, Wire-less	-

Seller Undertaking:
 1) I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India. I certify that this Seller / Service Provider / Bidder is not

4.5. After Technically Evaluating the Bidders, Buyer may proceed for the Financial Evaluation.

S. No.	Seller Name	Seller Rating	Offered Item	Participated On	Status	Verify Doc	Evaluate
1	ASHOKA HIREFIN SERVICES PRIVATE LIMITED	N/A	Make : NA Model : Rigs Mouse m65 (View Product)	20-12-2022 15:10:12	Qualified	View Documents & Seek Clarifications	Verify Specifications ✓
2	Tushar Patil	N/A	Make : Lenovo Model : Mouse (View Product)	20-12-2022 14:50:04	Qualified	View Documents & Seek Clarifications	Verify Specifications ✓

Please Note:
 1) Verify all the products offered, technically evaluate the product specification offered by the seller to open financial Bid.
 2) Please verify genuineness of any EMD receipt uploaded offline.
 3) Buyers should disqualify any Sellers submitting incorrect MSE certificates or EMD Exemption document with respect to the Bid and may raise incidents for disabement of the Sellers furnishing wrong information.
 4) As per para 7.3.5 on (Clarification of Bids/Shortfall Documents) of the Manual for Procurement of Goods 2017, issued by Ministry of Finance, Department of Expenditure, During evaluation and comparison of bids, the purchaser may, at his discretion, ask the bidder for clarifications on the bid. The request for clarification shall be given asking the tenderer to respond by a specified date. If the tenderer does not comply or respond by the date, his tender will be liable to be rejected. Depending on the outcome, such tenders are to be ignored or considered further. No change in prices or substance of the bid shall be sought, offered or permitted. No post bid clarification at the initiative of the bidder shall be entertained. The shortfall information / documents should be sought only in case of historical documents which pre-existed at the time of the tender opening and which have not undergone change since then. So far as the submission of documents is concerned with regard to qualification criteria, after submission of the tender, only related shortfall documents should be asked for and considered. For example, if the bidder has submitted a supply order without its completion / performance certificate, the certificate can be asked for and considered. However, no new supply order should be asked for so as to qualify the bidder.

Cancel Bid Change Technical Evaluation Result Open Financial Bid

5. Bid Financial Evaluation

5.1. The system displays the L1 bidder out of all bidders who participated in the bid.



Current L1

S. No.	Seller Name	Offered Item	MSE Status	Total Price	Rank	Detail
1	*****	Item Categories : computer mouse or trackballs	N/A	₹ 4350.00	L1	Detail

Actions

1. Request for Price match with L1. Price match requests will be initiated from the buyer panel and sent to eligible(MSE/MII/Others in case of split Bid) sellers.
2. Allocate quantity to be awarded. Allocation of quantity to eligible MSE & MII seller will have to done by the buyer as per his judgement as per MSE-MII policy.
3. Offer Validity extension - Buyer and L1 sellers can mutually extend the offer validity online.
4. Cancel Bid - Buyer has an option to cancel the Bid before award of bid.
5. Negotiation with L1 is not allowed after the 'Create Demand and Draft Order' step.
6. Quantity amendment is only allowed after 'Create Demand and Draft Order', if option clause is published in the Bid document. Pre contract quantity can be Increased/Decreased. Post contract creation, quantity can only be increased.
7. DP Extension is allowed after the 'Create Demand and Draft Order' step.
8. Buyers can edit bid quantity after demand creation.
9. Negotiation with L1 is not available after price match request.

Create Demand and Draft Order

5.2. Open Financial Ranking.

List Of Technically Qualified Sellers

S. No.	Seller Name	Offered Item	MSE Status	Total Price	Rank	Detail	Price Justification	Action
1	Tushar Pal	Item Categories : computer mouse or trackballs	N/A	₹ 4350.00	L1	Detail	Seek Justification	<input type="checkbox"/>
2	ASHOKA HIREFIN SERVICES PRIVATE LIMITED	Item Categories : computer mouse or trackballs	N/A	₹ 5800.00	L2	Detail	Seek Justification	<input type="checkbox"/>

Actions

1. Request for Price match with L1. Price match requests will be initiated from the buyer panel and sent to eligible(MSE/MII/Others in case of split Bid) sellers.
2. Allocate quantity to be awarded. Allocation of quantity to eligible MSE & MII seller will have to done by the buyer as per his judgement as per MSE-MII policy.

5.3. Buyer may check the price quoted by the bidder after clicking on the “Details”

Financial Bid Detail

Seller Name : Tushar Pal

Category	Quantity	Unit Price	Total Price
computer mouse or trackballs	58	₹ 75.000	₹ 4350.00
Sub Total			₹ 4350.00

2. Allocate quantity to be awarded. Allocation of quantity to eligible MSE & MII seller will have to done by the buyer as per his judgement as per MSE-MII policy.
 3. Offer Validity extension - Buyer and L1 sellers can mutually extend the offer validity online.
 4. Cancel Bid - Buyer has an option to cancel the Bid before award of bid.
 5. Negotiation with L1 is not allowed after the 'Create Demand and Draft Order' step.

5.4. In case, Buyer finds the price quoted by the bidder is unjustified, then he may seek price justification for the same.



Seek Clarification Request: Price Justification

Please Enter Details As To Why Price Justification Is Required? (Max: 1000 Characters)

your price is below mvp.give reasons

Document Upload (Max Size 5mb PDF Only)

Choose File No file chosen

File uploaded: 1671532930.pdf

Is Document Required From Seller In Response?: Yes No

Advisory
 1) Clause 7.5.7 of DoE Manual for procurement regarding Consideration of Abnormally Low Bids provides that an Abnormally Low Bid is one in which the Bid price, in combination with other elements of the Bid, appears so low that it raises material concerns as to the capability of the Bidder to perform the contract at the offered price. Procuring Entity may in such cases seek clarifications from the Bidder, including detailed price analyses of its Bid price in relation to scope, schedule, allocation of risks and responsibilities, and any other requirements of the bids document. If, after evaluating the price analyses, procuring entity determines that the Bidder has substantially failed to demonstrate its capability to deliver the contract at the offered price, the Procuring Entity may reject the Bid/Proposal.

Activate Windows
 Go to Settings to activate Windows.

Submit Close

5.5. Buyer can also view history of the Justification claimed.

Price Justification Details

Request Initiated At: 20-12-2022 16:12

Clarification Description	your price is below mvp give reasons
Clarification File	View file
Status	Pending

Advisory:
 1. Email will go to the sellers and asking them to respond to justification request

5.6. The respective bidder gets to respond back to the justification sent by the buyer on the participation page.

Showing 1 - 10 records of 2035 records

Sort by: Bid End Date: Latest First

BID NO: GEM/2022/B/89376 **Status:** Financial Evaluation **Bid/RA Status:** Active

Items: computer mouse or trackballs **Department Name And Address:** Ministry of Communications **Start Date:** 20-12-2022 2:43 PM

Quantity: 58 **Department of Telecommunications (DOT) test** **End Date:** 20-12-2022 3:57 PM

Technical Status: Qualified **Price Justification Request:** Click to View and Reply

[Document](#)
[Participation Document](#)

TECHNICAL EVALUATION FINANCIAL EVALUATION BID AWARD

[View BID Results](#)

Activate Windows



5.7. Seller needs to Briefly explain and upload specific documents in favour of the price justification query.

Bid Number: GEM/2022/B/89376

Request Received On	Last date for seller response	Price Justification Query	Justification File	Seller Response Description(Max :1000 Characters)
20-12-2022 16:12	22-12-2022 16:12	your price is below mrp.give reasons	1671532930.pdf	<p>my rates are justified with respect to the documents I am sending.</p> <p>Upload Supporting Document* (Only Pdf File Or Less Than 5 MB)</p> <p>Choose File ANNEXURE_M.pdf</p>

Advisory:
 1) Clause 7.5.7 of DoE Manual for procurement regarding Consideration of Abnormally Low Bids provides that an Abnormally Low Bid is one in which the Bid price, in combination with other elements of the Bid, appears so low that it raises material concerns as to the capability of the Bidder to perform the contract at the offered price. Procuring Entity may in such cases seek clarifications from the Bidder, including detailed price analyses of its Bid price in relation to scope, schedule, allocation of risks and responsibilities, and any other requirements of the bids document. If, after evaluating the price analyses, procuring entity determines that the Bidder has substantially failed to demonstrate its capability to deliver the contract at the offered price, the Procuring Entity may reject the Bid/Proposal.

Activate Windows

5.8. Buyer can view the response submitted by the bidder by clicking on the “Price Justification History.”

Price Justification Details

Request Initiated At: 20-12-2022 16:12

Clarification Description	your price is below mrp.give reasons
Clarification File	View file
Status	Completed
Seller Responded At	20-12-2022 16:16
Seller Response Description	my rates are justified with respect to the documen... (Read more)
Seller Uploaded Document	View file

Advisory:
 1. Email will go to the sellers and asking them to respond to justification request.

5.9. Buyer gets to decide whether to disqualify the bidder and to move forward with the other bidder after getting the price justification response. In case, the bidder fails to show the price reasonability, the buyer can disqualify the bidder by clicking on “Action” tab with the approval of the Competent Authority.



Financial Evaluation: Seller Disqualification

Rejection Comment*:
not feasible rates

Upload CA Approval (Only Pdf File Of Less Than 5 MB)
Choose File 16678152825675.pdf

Advisory:
1) Clause 7.5.7 of DoE Manual for procurement regarding Consideration of Abnormally Low Bids provides that an Abnormally Low Bid is one in which the Bid price, in combination with other elements of the Bid, appears so low that it raises material concerns as to the capability of the Bidder to perform the contract at the offered price. Procuring Entity may in such cases seek clarifications from the Bidder, including detailed price analyses of its Bid price in relation to scope, schedule, allocation of risks and responsibilities, and any other requirements of the bids document. If, after evaluating the price analyses, procuring entity determines that the Bidder has substantially failed to demonstrate its capability to deliver the contract at the offered price, the Procuring Entity may reject the Bid/Proposal.

Add Comment & Disqualify The Seller



5.10. After the disqualification of L1 bidder due to unworkable price by the buyer, L2 becomes the new L1.

List Of Technically Qualified Sellers								
S. No.	Seller Name	Offered Item	MSE Status	Total Price	Rank	Detail	Price Justification	Action
1	Tushar Pal	Item Categories: computer mouse or trackballs	N/A	₹ 4350.00	Disqualified	Detail	View History	
2	ASHOKA HIREFIN SERVICES PRIVATE LIMITED	Item Categories: computer mouse or trackballs	N/A	₹ 5800.00	L1	Detail	View History	<input checked="" type="checkbox"/>

Actions

- Request for Price match with L1. Price match requests will be initiated from the buyer panel and sent to eligible(MSE/MII/Others in case of split Bid) sellers.

5.11. User can not mark the last bidder as disqualified. Following pop up shows while clicking on last action icon

Advisory:
1. Please refer to the Technical Evaluation tab to

bidplus.gem.gov.in says
User can not mark the last bidder as disqualified. A user may cancel the current bid and place a fresh bid if this bidder is not workable as per the requirement.

List Of Technically Qualified Sellers								
S. No.	Seller Name	Offered Item	MSE Status	Total Price	Rank	Detail	Price Justification	Action
1	Tushar Pal	Item Categories: computer mouse or trackballs	N/A	₹ 4350.00	Disqualified	Detail	View History	
2	ASHOKA HIREFIN SERVICES PRIVATE LIMITED	Item Categories: computer mouse or trackballs	N/A	₹ 5800.00	L1	Detail	View History	<input checked="" type="checkbox"/>

Actions

*****End of Document*****