

## Special Terms and Conditions

# **Procurement for World Bank Financed Projects from Government e-Marketplace (GeM)**



Special Terms and Conditions related to procurement from GeM for World Bank financed Projects

1.	<b>Applicability</b>	These terms will be applicable to all the procurement fully or partly financed from the Loan/Credit/Grant extended by the World Bank to Projects in India using IPF (Investment Project Financing) or PforR (Program for Results) financing instrument. In case of any inconsistencies between General terms and conditions on GeM (GTC) and these Special Terms and Conditions (STC), STC will take the precedence.
2.	<b>Eligibility of the Bidders/Suppliers</b>	The individual and firms debarred and suspended by the World Bank Group would not be eligible to receive any contract award fully or partly financed from the Loan/Credit/Grant extended by the World Bank. Additionally, in case of IPF Projects the Purchaser will also comply with conflict of interest requirements as listed in World Bank Procurement Guidelines or Procurement Regulations.
3.	<b>Thresholds</b>	<p>In case of IPF Projects, the use of GeM will be allowed in lieu of Shopping/RFQ method as per following details:</p> <ul style="list-style-type: none"> <li>• up to Rs. 50,000 in catalogue mode (viz. any available item could be selected by Purchaser without further competition), provided selected Item/Supplier meet the requisite quality, specification and delivery period.</li> <li>• up to Rs. 30,00,000 from the Supplier having lowest price amongst at least three Suppliers of the goods or services being purchased, meeting the requisite quality, specification and delivery period. The tools for online bidding and online reverse auction available on GeM may be used by the Purchaser.</li> <li>• up to Rs. equivalent of US\$ 100,000 (unless a higher threshold is agreed by the World Bank) from the Supplier having lowest price and meeting the requisite quality, specification and delivery period after mandatorily obtaining bids from at least three Suppliers of the goods or services being purchased, using online bidding or reverse auction tool provided on GeM.</li> </ul> <p>In case of PforR Projects, the use of GeM is allowed as per the rules/regulations of the Government of India/relevant state government, subject to the thresholds for excluded activities defined in legal agreement for respective Project.</p>
4.	<b>Preferences</b>	In case of IPF Projects, no special preference will be accorded to any bidder either for price or for other terms and conditions. This includes purchase preferences, price preferences, reservation, relaxation or exemptions for bid security (EMD) or performance security etc.
5.	<b>Fraud and Corruption</b>	In case of IPF Projects, the Purchasers, bidders, suppliers, contractors and their agents (whether declared or not), sub-contractors, sub-consultants, service providers or suppliers, and their personnel will comply with paragraph 1.16 of Procurement Guidelines or Annex IV of Procurement Regulations as the case may be. In case of PforR Projects, provisions of Guidelines on Preventing and Combatting Fraud and Corruption in Program-for-Results Financing will be applicable.
6.	<b>No Obligation</b>	It is not mandatory for the Purchaser to procure through GeM portal, Goods and Services that are available on GeM and if required, normal Shopping/RFQ method may be used. Where situation warrants, the Purchaser reserves the right to annul the procurement process on GeM at any time prior to Contract Award, without thereby incurring any liability to the Suppliers available on the GeM.

7.	<b>Dispute Resolution</b>	In the event of any dispute or difference arising under the contract placed through GeM, the sole arbitrator to be nominated by the Primary Buyer, shall not be a serving Government Servant.
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