

***PROPOSALS FOR PROCUREMENT OF  
TENDER FOR HIRING OF LIGHT COMMERCIAL  
VEHICLES***

(i.e. Swift-Dzire/Etios/Accent/Tavera/Scorpio etc. (with similar capacity)/Innova & Mahindra Jeep (Metal Covered Body)

**Estimated Value of Tender:- Rs. 50.00 Lac (Approx.)**

**Published by:  
Controller of Examinations,  
PANJAB UNIVERSITY  
CHANDIGARH**

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## PANJAB UNIVERSITY, CHANDIGARH

### e-TENDER NOTICE

Panjab University, Chandigarh invites Online Re-Tender for hiring of vehicles for a period of one year i.e. w.e.f. **01.02.2022 to 31.01.2023** under two bids system '**Technical Bid**' and '**Financial Bid**'. Interested Parties who wish to participate in online e-tender can download the tender documents with specifications and terms & conditions on the e-procurement website of Chandigarh Administration (<http://etenders.chd.nic.in>). The bidders have to submit "Technical Bid" and "Financial Bid" online complete in all respects, on or before **20.01.2022 (Thursday)** upto **11.00 a.m.**

<b>Sr. No.</b>	<b>Item/s</b>	<b>Earnest Money Deposit required</b>
<b>1.</b>	About 20-25 or as per actual requirement A.C/Non-A.C Vehicles (i.e Swift-Dzire/Etios/Accent/Tavera/Scorpio/Xylo/Innova/Mahindra Jeep (Metal Covered Body)	Rs. 1.00 Lac (Rupees One Lac only)

**Please note:-** The original EMD should be deposited in the office of the Registrar, Panjab University, Chandigarh, within the period of bid submission. The tender will be accepted through e-tendering only.

**REGISTRAR**

# PANJAB UNIVERSITY, CHANDIGARH

## CONDUCT BRANCH

### TENDER SCHEDULE

<b>Sr. No.</b>	<b>Item</b>	<b>Particulars</b>
1.	Earnest Money Deposit	Rs. 1.00 Lac (Rupees One Lac Only) in favour of the Registrar, Panjab University, Chandigarh, payable at Chandigarh.
2.	Availability of e-tender Documents	<b>05.01.2022</b> Time <b>10.00 a.m.</b> onwards
3.	Last date of Bid Submission	<b>20.01.2022</b> upto <b>11.00 a.m.</b>
4.	Opening of Technical Bid	<b>21.01.2022 at 11.00 a.m.</b>
5.	Opening of Financial/Commercial Bid	After Technical evaluation.
6.	Address for communication	Assistant Registrar, Conduct Branch, Administrative Block, Panjab University, Chandigarh.
7.	Contact Details	0172-2541303, 2710780.

The Notice for Inviting Tender document will be available on the e-Procurement website of Chandigarh Administration (i.e. **www.etenders.chd.nic.in**) and can be downloaded free of cost by the interested bidders.

## **Eligibility Criteria**

The following Technical bid criteria must strictly be fulfilled by the bidder. The bidder must submit documentary evidence in support of their claim for fulfilling the criteria and they should submit an undertaking on their letter head/s to the fairness of these documents while submitting the bid. The bids received without the documentary evidence will be rejected out rightly. Incomplete bids or deviating from minimum eligibility criteria defined below will be treated as unresponsive and shall not be considered eligible for further evaluation.

<b>Sr. No.</b>	<b>Criteria</b>	<b>Supporting documents to be submitted</b>
1.	Bidder should be registered as Limited/Private Limited/Proprietorship/ Partnership	Certificate of Incorporation/ Registration, Partnership Deed, TIN/GST Registration
2.	Total Turnover during the three Financial years, i.e. 2017-18, 2018-19 and 2019-20 should be atleast <b>Rs. 30.00 Lacs</b> per annum.	Copy of Audited Balance sheets along with Profit and Loss statements with highlighted relevant figures (in case the audited financial statements do not reflect the above, original Statutory Auditors' certificate on the actual relevant figures)
3.	Must be registered with the Indian Service Tax department	Copy of PAN/TAN Card/valid GST Registration Certificate
4.	Must not be blacklisted by the Central/State Government and Public sector	As per Annexure I
5.	Undertaking Proforma	As per Annexure II
6.	Completion certificate of execution of two largest orders.	Certified from the Professional Chartered Accountant.

**Earnest Money Deposit**

1. Earnest Money:- The bidders are required to submit the Demand Draft for an amount equal to EMD i.e. **Rs.1,00,000/-** (Indian Rupees One Lac Only) drawn on any scheduled bank in favour of the “Registrar, Panjab University, Chandigarh” without which bid shall be considered incomplete and non responsive shall not be considered.
2. The original EMD (in shape of Demand Draft) be deposited in the office of the Registrar, Panjab University, Chandigarh, inviting bids within the period of bid submission. The EMD receiving authority shall issue a receipt of deposition of EMD deposit to the bidder in a prescribed format (enclosed as Annexure-III) uploaded by tender inviting authority. The receipt shall also be uploaded to the e-tendering website by the intending bidder upto the specified bid submission date and time.

**Content of Bids:-**

The prospective bidders are required to submit their bids online through e-Tendering system of Chandigarh Administration (<http://etenders.chd.nic.in>).

**Note:-**

1. The bidders have to produce the original documents as and when asked by the purchaser. The failure of the bidder to furnish the said original documents will entail summarily rejection of its bid.
2. The purchaser will not be responsible for any delay in online submission of the bids due to any reason whatsoever.
3. Corrigendum/Addendum to this bid, if any, will be uploaded on the website <http://etenders.chd.nic.in> No separate communication will be sent to any bidder. This may be noted by the bidder on its own.
4. The purchaser reserve the right to verify the particulars furnished by the bidder independently. If any information furnished by the bidder is found incorrect at a later stage, the bidder shall be liable to be debarred for future bidding in Panjab University for a period of 2 years.
5. For any technical issues related to electronic tendering portal, Bidder may contact e-Procurement Cell, Department of Information Technology, 5<sup>th</sup> floor, Additional Deluxe Building, Sector-9/D, Chandigarh or email at [etender-chd@nic.in](mailto:etender-chd@nic.in).

### **Evaluation Process**

1. Eligibility criteria and technical bids of only those bidders will be evaluated, whose valid EMD instruments are found to be in order. Bid received without EMD will be summarily rejected.
2. A duly constituted Evaluation Committee (EC) will first select bidders on the basis of eligibility criteria defined for this tender. The bids conforming to the eligibility criterion only will be considered for further evaluation. If there is any lack of clarity in the submitted eligibility documents EC may ask concerned bidder to prove their eligibility.
3. The Evaluation Committee shall evaluate the response to the tender and all supporting documents/documentary evidence. Inability to submit requisite supporting documents/documentary evidences may lead to rejection.
4. The Evaluation Committee may ask for meetings with the bidder any time during the evaluation process to seek clarifications on their bids.
5. The Evaluation Committee reserves the right to reject any or all bids on the basis of any deviations. The decision of the EC in the evaluation of responses to the tenders shall be final.
6. Conditional bids would be liable for rejection.
7. Upon verification evaluation/assessment, if in case of any information furnished by the bidder is found to be false/incorrect, their bid shall be summarily rejected and no further correspondence on the same shall be entertained.
8. No enquiry shall be made by the bidder/s during the course of evaluation of the tender, after opening of bid, till final decision is conveyed to the successful bidder/s.
9. The Evaluation Committee will shortlist the Technical bids on the basis of the minimum eligibility criteria.

### **Financial Evaluation Process**

1. The Financial bid of only technically qualified bidders will be opened on the prescribed date.
2. **Financial bid of only that/those bidder would be considered for award of the contract, who has quoted the lowest rates in total i.e. total value of all required rates will considered as L-1 among all bidders item found as per requirement/specifications by the Evaluation Committee on Lowest basis (L-1).**
3. Quoting incredibly low value of items with a view to subverting the tender process shall be rejected straightway and EMD of such vendors will be forfeited.

## **INSTRUCTIONS TO BIDDERS**

1. **Submission of Bids:** Online bids shall be received by the purchaser before the time and date specified in the schedule of the bid notice. The purchaser may, at its discretion, extend this deadline for submission of offers by issuing corrigendum.
2. **Method of submission of bids:** i) EMD in original should reach in the office of the Registrar, Panjab University, Chandigarh on or before the last date of tender i.e. **20.01.2022 upto 11.00 a.m.**

ii) Tender Document required and financial cover be uploaded on e-Procurement System (<http://etenders.chd.nic.in/nicgep>). The bidders shall submit their bids online in electronic format only and with digital signatures for participation in the e-tendering process. The bidders need to register themselves on the website <http://etenders.chd.nic.in>. For clarification and necessary information on the process to obtain digital signatures, the bidders are required to visit [www.cca.gov.in](http://www.cca.gov.in) and <http://etenders.chd.nic.in>.

Bids without digital signature will not be accepted by the Electronic Tendering System. Before submission of online bids, bidders must ensure that scanned copies of all necessary documents including the scanned copy of EMD have been uploaded with the bid within the time limit as specified in the bid document.

The documents to be submitted by the bidders, as specified in the bid document, could be scanned in low resolution (75-100 DPI) AND IN GREYSTLE. The PDF so prepared by the bidders could be shrunk in size then uploaded by the bidders.

3. **Late offer:** Late submission will not be entertained and will not be permitted by the e-Procurement system after due date & time.
4. **Cost of Bidding & Currency:** The offer must be given in Indian Rupees only. The price will remain fixed for the period of the work completion and no changes for any reason whatsoever will be allowed. The bidder shall bear all costs associated with the preparation and submission of its bid.
5. **Erasures or Alterations and Signing of Tender Offers:** The bid shall be signed by the bidder or a person or persons duly authorized. The person signing the bid shall put initials on all pages of the offer, except for un-amended printed literature.

The bid should contain no interlineations, erasures or overwriting except as necessary to correct errors made by the bidder. In that case, such corrections shall be initialed by the person signing the offer.

6. **Fixed Price:** The commercial offer shall be on a fixed prices basis. All the applicable taxes and levies (all direct and indirect taxes including local duties, levies etc.) shall be clearly specified by the Bidder in the financial bid Performa.



**Clarification of offers**

To assist in the scrutiny, evaluation and comparison of offers, the purchaser may, at its discretion, ask some or all the bidders for clarification of their offers on any of the points mentioned therein and the same may be sent through email facsimile etc. however, in such cases, original copy of the technical clarification shall be sent to the Purchaser through courier or in person.

**Amendment of the Document**

- a) At any time prior to the deadline for submission of bids, the purchaser may, for any reason, whether on its own initiative or in response to the request for clarification by the prospective bidder, modify the RFP document.
- b) Any amendments would be intimated to all the prospective bidders by issuing corrigendum.
- c) In order to allow prospective bidders reasonable time to take into the consideration the amendments while preparing the bids, the purchaser at its discretion may extend the deadline for the submission of bids.

**Language of Bids:** The bids as well as all correspondence and documents relating to the offer exchanged by the bidder and the purchaser, shall be in English language only. Supporting documents and printed literature furnished by the bidder may be in another language provided they are accompanied by an appropriate translation in English language and in such a case, for purpose of interpretation of the bid, the translation shall govern.

**TECHNICAL SPECIFICATIONS & SCHEDULE  
OF REQUIREMENT**

TENDER FOR SUPPLY OF VEHICLES ON HIRE BASIS FOR A PERIOD OF ONE YEAR, I.E. W.E.F. **01.02.2022 to 31.01.2023** FOR VARIOUS UNIVERSITY RELATED ACTIVITIES PARTICULARLY FOR DELIVERY AND COLLECTION OF EXAMINATION MATERIAL INCLUDING ANSWER-BOOKS TO/FROM THE CENTRES LOCATED IN THE JURISDICTION OF PANJAB UNIVERSITY IN THE STATE OF PUNJAB AS WELL AS IN CHANDIGARH.

<b>Sr. No.</b>	<b>DESCRIPTION</b>	<b>Quantity required</b>
1.	Supply of A.C./Non-A.C. Vehicles i.eSwift D-Zire/Etios/Accent Tavera/Scorpio/Xylo	About 20-25 or as per actual requirement
2.	Supply of Innova (A.C.)	About 10 or as per actual requirement
3.	Supply of Mahindra Jeep (Metal Covered Body) (Non-A.C.)	About 5-10 or as per actual requirement

### **TECHNICAL INSTRUCTIONS**

1. The Vehicle can be used anywhere in territorial jurisdiction of Panjab University in the State of Punjab as well as in Chandigarh. However, in case of emergent circumstances, the Panjab University reserve the right to ask the Contractor to provide vehicle for use in the other parts of North India.
2. The vehicle should be in good condition and well maintained. Interior and upholstery of the vehicles should also be well maintained and is to be kept neat and clean.
3. In case, interior upholstery/vehicle is not found upto the satisfaction of controlling officer, the same will be get replaced immediately by Contractor.
4. The meter reading should tally the actual distance of run at any instant and controlling officer shall have full power to check up the meters for its correctness and to take action accordingly.
5. The Contractor shall abide with all local/municipal/state/central laws and regulations.
6. **Documents:-** The supplier/Contractor shall submit photocopies of the various documents i.e. Registration Certificate (R.C.) of the vehicle.
7. **Inspections:-** Authority designated for this purpose can inspect the vehicle any time. It will be a general inspection which will include general upkeep of the vehicle, neatness and cleanliness of the exteriors and interiors, documents etc. In case of deviation, instructions issued by designated authority shall be binding on the Contractor. Contractors shall ensure that vehicles are supplied and operated in compliance to terms and conditions of the Contract.
8. **Quantity:-** Estimated 20-25 No. of vehicles (AC/Non-AC) may be increased or decreased, depending on the requirement. However, it should be clearly noted that purchaser shall place the order only as per the actual requirement from time to time.
9. Purchaser will have the right to increase or decrease the number of vehicles specified in the bid document, without any change in the unit price ordered or other terms and conditions.
10. Contractor must have telephone number/mobile number and e-mail ID where recognition of vehicles can be conveyed at any time during the 24 hours. Telephone/mobile number and e-mail ID both must be specified in profile of bidder of the bid.

## FINANCIAL BID INSTRUCTIONS

Every tender must be accompanied by an Earnest Money Deposit (EMD) as per the following table in the form of demand draft in favour of the **Registrar, Panjab University, Chandigarh, payable at any scheduled bank at Chandigarh.** Tenders without earnest money or conditional tenders will not be entertained.

Sr. No.	DESCRIPTION	Quantity required	Earnest Money Deposit
1.	Supply of A.C./Non-A.C. Vehicles i.e. Swift D-zire Etios/Accent/ Tavera/Scorpio/Xylo etc. (with similar capacity)	About 20-25 or as per actual requirement	Rs. 1.00 Lac (Rupees One Lac only)
2.	Supply of Innova (A.C.)	About 10 or as per actual requirement	
3.	Supply of Mahindra Jeep (Metal Covered Body) (Non-A.C.)	About 5-10 or as per actual requirement	

- i. Earnest money of the Tenderer who quotes the rates but later on declines to accept the job on the rates quoted by him or even withdraws immediately on account of wrong calculations or for any other reasons, the EMD of that firm shall be forfeited.
- ii. No interest would be payable for any period on EMD or any other amount lying with the purchaser.
- iii. The EMD amount will be refunded/released only after finalization of the tender.
- iv. The EMD of the Successful Bidder will be refunded/released only after the receipt of the prescribed performance Security deposit/Bank Guarantee.
- v. The firm will also have to submit the details of total turnover during the three financial years i.e. 2017-18, 2018-19 and 2019-20 which should be atleast Rs 30.00 Lacs per annum.
- vi. **The successful firm shall submit performance guarantee of the value equivalent to 5% of the order value in the shape of Bank Guarantee of any Nationalized Bank in favour of the Registrar, Panjab University, Chandigarh. In case of any default in performance/deficiency in service, the University can call upon Bank to en-cash the Guarantee amount.**
- vii. The rates should be quoted by the firm separately against each item on the prescribed Form (BOQ).
- viii. All copies of documents attached with the tender should be self-attested.

**TERMS & CONDITIONS**

**The terms and conditions of the tender which shall form the basis of contract/agreement are as under:-**

1. The Tenderer must have Government State/Centre/Competent authority License to undertake such kind of vehicles provider.
2. **The vehicles are to be hired on hire basis for a period of one year, i.e. w.e.f. 01.02.2022 to 31.01.2023 for various University related activities particularly for delivery and collection of examination material including answer-books to/from the centres located in the jurisdiction of Panjab University in the State of Punjab as well as in Chandigarh as and when required.**
3. Successful Tenderer will have to sign an Agreement Deed on Stamp Papers worth Rs. 20/- after finalization of Terms & Conditions.
4. Income Tax/TDS/SGST/CGST as per existing rates will be deducted at source.
5. The Contractor will provide good quality vehicles as well as services during the contract period.
6. The Contractor, if found deficient in providing quality service or fails to comply with any of the condition of the agreement, the Controller of Examinations, P.U. Chandigarh shall have the right to:
  - i) **Impose penalty**; Incase of default in providing suitable vehicle within the prescribed time or any other default, a penalty can be an imposed equivalent to an amount of the value of concerned trip which can be enhanced upto an amount of 10% of the total value of tender contract.
  - ii) Cancel the agreement;
  - iii) Hire the vehicles from the market and the Contractor shall be bound to make good the loss sustained and incurred to the University in this connection.
7. Earnest Money Deposit by the unsuccessful Tenderer will be refunded after finalization of the Tender.
8. No advance payment shall be made.
9. No extension should be given to the tenderer, except in case of natural calamities.
10. Payment of all kinds of Govt. taxes or duties (GST, State Entry tax, Local body tax etc.) for paying vehicles will be the liability of the Contractor.
11. Toll tax, parking fees, GST (SGST & UTGST), State Entry Tax will be paid extra on actual basis.
12. The driver of the vehicle should be fully conversant with the various routes and should be well behaved, properly dressed and further the tampering of Meter or Log-book and misbehavior by the driver(s) shall be viewed seriously and may lead to cancellation of the contract.

13. The driver deployed by the Contractor for the job should have a valid commercial Driving License and should be medically fit and possess good conduct and be amenable to discipline.
14. The Registrar reserves the right to accept or reject the tender without assigning any reason and his decision in all matters concerning the tender shall be final.
15. In case of any dispute arising between the parties the jurisdiction of Courts of Law shall be applicable at Chandigarh.
16. Rates once finalized will be valid for a period of one year. Upward change in rates will not be considered due to any hike in fuel prices or taxes during the operative period of contract.
17. In case two or more firms are found to have quoted the same rates, the Competent Authority, P.U. shall decide about the firm to which the offer shall be granted.
18. On repeated defaults, the contract is liable to be cancelled at the risk and at the cost of the Contractor.
19. For interpretation of any condition of this tender document, the decision of Purchaser shall be final and binding on the Bidder.
20. The drivers should have Duty Slip, Feedback Performa and should be duly filled and signed by the user. If on any occasion it is found that the driver of any vehicles has made wrong entries in the duty slip relating to time and kilometer reading of start or closing of duty/journey, the Contractor shall be responsible for the same. The office reserves the right to withhold the full payment of the day in respect of such vehicle.
21. **Night Halt Charges:-** Night Halt Charges Rs. 200/- will be applicable after 11.00 p.m.
22. **Notice period:-** In case of any requirement of vehicle/vehicles, same will be conveyed to the contractor in advance. Telephonic intimation or communication through e-mail shall be considered as notice.
23. **Reporting Place:-** Reporting place shall be as specified by a user of the vehicle, as the case may be, from time to time.

**Annexure I**

**(To be executed on stamp paper) worth Rs. 5/-**

I \_\_\_\_\_ S/O \_\_\_\_\_, Resident of \_\_\_\_\_ Distt. \_\_\_\_\_ Contractor/Partner or Sole Proprietor (Strike out word which is not applicable) of Firm of Contractors \_\_\_\_\_ do hereby declare on solemn affirmation that the individual/companies, black-listed by the Union or the State Government or any partner or shareholder thereof are not directly or indirectly connected with or has any subsisting interest in business of my/our firm. In case the information is found to be incorrect or false, an appropriate action may be taken against me by the authorities. I shall also be liable to indemnify the University in case any claim arises out of information given by me.

Deponent \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated \_\_\_\_\_

Verification:-

I do hereby solemnly declare and affirm that the above declaration is true and correct to the best of my knowledge and belief. No part of it is false and nothing has been concealed therein.

Deponent \_\_\_\_\_

**Annexure-II****UNDERTAKING**

Certified that I/We have carefully read the terms and conditions and these are acceptable to me/us. The proforma giving details of vehicles and a copy of declaration relating to registration of the firm is submitted herewith as required under this tender.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mobile No. \_\_\_\_\_

Office Phone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

E-mail \_\_\_\_\_



**Annexure-III****Receipt of depositing of Original EMD in the Office of Panjab  
University, Registrar Office, Chandigarh.**

(Receipt No. \_\_\_\_\_ date \_\_\_\_\_)

1.	Name of Work	<b>Hiring of Taxi Services</b>
2.	NIT No./Dt.	-----/ARC/2022
3.	Estimated Cost	Approx. Rs. 50,00,000/- (Rupees Fifty Lac only)
4.	Amount of Earnest money Deposit	Attached Demand Draft No. _____ Amount _____ _____ Dated _____ Name of drawn bank _____
5.	Last date of submission of bid	_____ upto _____
6.	Name of Contractor:	
7.	Form of EMD:	
8.	Amount of Earnest Money Deposited:	
9.	Date of submission of EMD:	

**Dealing official  
P.U. Chandigarh.**

**FORMAT FOR QUOTING RATES FOR TAXIS IN (BOQ)**

**Name of Work: Hiring of Light Commercial Vehicles for the conduct of Panjab University Exams. and various activities.**

**Contract No:**

**Date .....**

Sl. No.	Item/s Description	Quantity	Units	all taxes & Duties (after discount, if any) In
				<b>Figures To be entered by the Bidder</b>
				<b>Rs.</b>
<b>1</b>	<b>SWIFT-DZIRE/ETIOS/ACCENT etc. (with similar capacity)</b>			
1.01	Hiring Charges per k.m. for min. 200 kms. per day for Outstation <b>(Non-A.C.)</b>	200	km/day	
1.02	Hiring Charges per k.m. for min. 200 kms. per day for Outstation <b>(A.C.)</b>	200	km/day	
1.03	Hiring Charges for min. 80 kms. per day and upto 8 hrs. duty for Local only <b>(Non-A.C.)</b>	1	One day	
1.04	Hiring Charges for min. 80 kms. per day and upto 8 hrs. duty for Local only <b>(A.C.)</b>	1	One day	
<b>2</b>	<b>TAVERA/SCORPIO/XYLO etc.(with similar capacity)</b>			
2.01	Hiring Charges per k.m. for min. 200 kms. per day for Outstation <b>(Non-A.C.)</b>	200	km/day	
2.02	Hiring Charges per k.m. for min. 200 kms. per day for Outstation <b>(A.C.)</b>	200	km/day	
2.03	Hiring Charges for min. 80 kms. per day and upto 8 hrs. duty for Local only <b>(Non-A.C.)</b>	1	One day	
2.04	Hiring Charges for min. 80 kms. per day and upto 8 hrs. duty for Local only <b>(A.C.)</b>	1	One day	
<b>3</b>	<b>INNOVA</b>			
3.01	Hiring Charges per k.m. for min. 210 kms. per day for outstation <b>(A.C.)</b>	210	km/day	
3.02	Hiring Charges for min. 80 kms. per day and upto 8 hrs. duty for Local only <b>(A.C.)</b>	1	One day	
<b>4</b>	<b>MAHINDRA JEEP (Metal Covered Body)</b>			
4.01	Hiring Charges per k.m. for min. 200 kms. per day for Outstation <b>(Non-A.C.)</b>	200	km/day	
4.02	Hiring Charges for min. 80 kms. per day and upto 8 hrs. duty for Local only <b>(Non-A.C.)</b>	1	One day	
<b>5</b>	<b>OTHER CHARGES</b>			
5.01	Rate of extra per k.m. beyond 80 kms. for local only <b>(for all categories of taxis)</b>	1	km/day	
5.02	Waiting Charges beyond 8 hrs. duty per hour for local only <b>(for all categories of taxis)</b>	1	hour/day	

**NOTE: i) The above table/quantities are only for the purpose of evaluation of the tender. However claim/ payments will be as per actual service rendered by the contractor.**

**ii) Minimum kms. in respect of above all the categories be kept in consideration.**