

AMENDMENT (Errata) 01 to Bidding Document

Sl. No.	Item Ref.	Existing Provisions	Amended Provisions
1.	<p>Clause No. a on Page 2/5 of NIT</p> <p>Clause No. 6.0 on Page 5/302 of ITC</p>	<p>All bids must be accompanied by Bid Security for an amount of INR 50,00,000/-(Rupees Fifty Lakh only). The Bid Security shall, at the Bidder's option, be in the form of Electronic Fund Transfer (EFT)/ irrevocable Letter of Credit or a bank guarantee from any of the banks specified in the Bid Data Sheets or an Insurance Surety Bond from an Insurer as per guidelines issued by Insurance Regulatory and Development Authority of India (IRDAI).</p> <p>“The format of the Bank Guarantee shall be in accordance with the form of Bank Guarantee towards Bid Security/EMD/Performance security/*Advance payment (if applicable) included in the Employer's Bidding Documents only. In addition, the format of the Insurance Surety Bond shall also be in accordance with the form of Insurance Surety Bond towards Bid security/Performance security/ included in the Employer's Bidding Documents only. Any bid not accompanied by an acceptable bid security in a separate sealed envelope shall be rejected by the Employer as being non-responsive.</p> <p>"Any bid not accompanied by an acceptable bid security in a separate sealed envelope shall be rejected by the Employer as being non-responsive. IN CASE, THE BID SECURITY IS SUBMITTED THROUGH ELECTRONIC FUND TRANSFER (EFT), BIDDER TO SUBMIT THE PROOF OF E- PAYMENT OF BID SECURITY EITHER IN SEPARATE SEALED ENVELOPE OR IN THE GeM PORTAL."</p> <p>Bidders may kindly note that as QCBS mode of evaluation is considered, MSE benefits under PPP 2012 order are not applicable for the subject work.</p> <p>EMD Exemption</p>	<p>All bids must be accompanied by Bid Security for an amount of INR 50,00,000/-(Rupees Fifty Lakh only). The Bid Security shall, at the Bidder's option, be in the form of Electronic Fund Transfer (EFT)/ irrevocable Letter of Credit or a bank guarantee from any of the banks specified in the Bid Data Sheets or an Insurance Surety Bond from an Insurer as per guidelines issued by Insurance Regulatory and Development Authority of India (IRDAI).</p> <p>“The format of the Bank Guarantee shall be in accordance with the form of Bank Guarantee towards Bid Security/EMD/Performance security/*Advance payment (if applicable) included in the Employer's Bidding Documents only. In addition, the format of the Insurance Surety Bond shall also be in accordance with the form of Insurance Surety Bond towards Bid security/Performance security/ included in the Employer's Bidding Documents only. Any bid not accompanied by an acceptable bid security in a separate sealed envelope shall be rejected by the Employer as being non-responsive.</p> <p>"Any bid not accompanied by an acceptable bid security in a separate sealed envelope shall be rejected by the Employer as being non-responsive. IN CASE, THE BID SECURITY IS SUBMITTED THROUGH ELECTRONIC FUND TRANSFER (EFT), BIDDER TO SUBMIT THE PROOF OF E- PAYMENT OF BID SECURITY EITHER IN SEPARATE SEALED ENVELOPE OR IN THE GeM PORTAL."</p> <p>HOWEVER, MSEs* SHALL BE EXEMPTED FROM PAYING BID SECURITY.</p> <p><i>*Micro and Small Enterprises (MSEs) registered with Udyam Registration Portal as per MSMED Act 2006 for goods produced and services shall be eligible for MSE benefits.</i></p>
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		<p>The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid.</p> <p>All bids must be accompanied by Bid Security for an amount of INR 50,00,000 (Rs. Fifty Lakhs only).</p>	<p><i>Applicable relevant MSME Certificate should be submitted online/offline before schedule bid submission end date & time.</i></p> <p><i>It is advised that all the Prospective Bidders shall register and obtain Udyam Registration Certificate. It may be noted that w.e.f. 1st April 2022, Udyam Registration Certificate shall be only valid Certificate to avail the benefits as per Public Procurement Policy.</i></p> <p><i>MSEs seeking exemption and benefits should enclose an attested/self-certified copy of Udyam registration certificate as a part of his bid, giving details such as stores/services, validity (if applicable) etc. failing which they run the risk of their bid being passed over as ineligible for the benefits applicable to MSEs.</i></p> <p>Further, the bid security exemptions as provided by GeM shall also govern.</p> <p>Bidders may kindly note that as QCBS mode of evaluation is considered, other MSE benefits under PPP 2012 order are not applicable for the award of subject work.</p>
2.	Clause 12.1/P 22 of 88 of GCC	<p>For any delays attributable to the Consultant beyond the scheduled period of completion of the entire assignment as per the agreed work schedule, the Consultant shall pay to NTPC liquidated damages and not as penalty, an amount worked out at the rate of 1/2 % (one half of one per cent) of Contract Value plus applicable GST, for each calendar week of delay or part thereof. However, the total liability of the Consultant under this clause shall not exceed 5% of the total Contract Value plus applicable GST, as awarded</p>	<p>For any delays attributable to the Consultant beyond the scheduled period of completion of the entire assignment as per the agreed work schedule, the Consultant shall pay to NTPC liquidated damages and not as penalty, an amount worked out at the rate of 1/2 % (one half of one per cent) of Contract Value, for each calendar week of delay or part thereof. However, the total liability of the Consultant under this clause shall not exceed 5% of the total Contract Value, as awarded.</p>

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Clarification no:1 to Bidding Document
Project Name : Amba PSP (4X200 MW)
Package: DPR works

S. No.	Section No./ Clause No.	Bidding document Clause	Bidder's query	Employer's Remark
1.	Section-1A(ITC), page no 9/43 Clause no 7.2.1	<p>[A] Documents to be submitted in physical form in separate sealed envelope(s):</p> <p>(a) Power of Attorney</p> <p>A power of attorney, indicating that the person signing the bid has the authority to sign the bid and that the bid is binding upon the Bidder during the full period of its validity.</p> <p>(The Authority of the person issuing the Power of Attorney shall also be submitted).</p> <p>Bidder shall be required to send the Power of Attorney of the Bidder / Collaborator(s), as applicable, along with the Authority of the person issuing the Power of Attorney, to the address mentioned at ITC Clause 6.2 in a separate sealed envelope super scribed as.....</p>	Please Clarify whether copy of "Delegation of Power" given to the Person authorizing to issue POA by the Chairman-Cum-Managing Director will be accepted	Signatory to the bid shall be dully authorised by Power of Attorney (PoA). Further, PoA shall be duly supported by Board resolution in this regard.
2.	Section-1A(ITC), page no 11/43 Clause no 7.2.1.1, (Qualifying Requirements (Appendix-I to ITC), point (i):	The reference works which are uploaded online in the GeM portal and whose details are declared online as per the specified formats in the relevant Schedule shall only be considered to ascertain the Bidder's compliance to the specified eligibility criteria. <u>However, the Bidders are not permitted to quote more than three (3) times the number of reference works as specified in the Qualifying Requirements.</u>	<p>Please clarify in details about the stated criteria related to quoting of rate limited to not more than three (3) times the number of reference works –</p> <p>Is it revealing to the total value of consultancy cost of referenced works which will be appended further by the bidders with Bid Proposal Form "Schedule 1:</p>	In this regard it is clarified that Consultant may submit a maximum of three times of the reference works meeting the QR. For example if a consultant is meeting QR from a reference work say A1 (or from a combination of work of other permitted references in

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			Documentary proof regarding QR w.r.t Technical Strength".	QR as one set), Consultant may mention such three reference say A1, A2 & A3 works only or set of reference works as permitted under the QR.
3.	Under Section – IA (ITC), Page no. 10 of 43, Clause 7.2.1	<p>[B] Documents to be submitted online at e-tender portal:</p> <p>Bid Proposal Sheets, duly completed and signed by the bidder together with all Schedules mentioned below shall be uploaded on the GeM portal.</p> <p>In Table items under Sl. no. 1 to 28</p>	<p>Please clarify whether in addition to items under Sl. no. 1 to 28,</p> <p>BOTH“SCHEDULE-A (Undertaking from Independent Statutory Auditor)” and “SCHEDULE-B (Undertaking from Third Party Inspection Agency)” Form OR any one as appended under Volume-III Bid Proposal Sheets (Envelope-II) at page no. 14-15 of 62 should have to submit online.</p>	<p>In addition to all the documents mentioned in Bidding documents, for the purpose of QR credentials, consultants may submit the following documents:</p> <p>Any of SCHEDULE-A (Undertaking from Independent Statutory Auditor)”</p> <p>or</p> <p>“SCHEDULE-B (Undertaking from Third Party Inspection Agency)” shall be required</p>
4.	Clause No. 7.2.1 on Page 9/43 of ITC	<p>[A] Documents to be submitted in physical form in separate sealed envelope(s):</p> <p>(a) Power of Attorney</p>	We will submit Board Resolution in lieu of Power of Attorney which clearly gives full authority to our Managing Director, to sign the proposal. Please confirm, if the same shall be accepted.	Please refer reply at Sl. No.1 above.
5.	Clause No. 10.2 of Page 17/43 of ITC	The format of the Bank Guarantee/ Insurance Surety Bond shall be in accordance with the form of bank guarantee/ Insurance Surety Bond towards bid security included in the Bidding Documents. Bid Security shall remain valid for a period of forty-five (45) days beyond the original Bid validity period and beyond any extension of bid validity subsequently requested under relevant clause of ITC.	We have already shared the format of Bank Guarantee with our Bankers for the purpose of vetting. In case, there would be any observations, we request you to kindly allow us to submit such format for your kind consideration in case MSME's are not exempted from submission of EMD.	<p>Refer AMENDMENT (Errata) 01 to Bidding Document</p> <p>Doc No :CS-8700-350-9-AMDT-01</p>

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6.	Clause 30/P 30 of 88 of GCC	<p>Limitation of Liability: RFP is silent about the limitation of liability for the Consultant.</p>	<p>We observed that the limitation of liability of the consultant has not been mentioned in the RFP, hence request to include the standard clauses for such contract at the end of Clause no. 30 of GCC as mentioned below:</p> <ul style="list-style-type: none"> • Notwithstanding anything contained in the Contract, the Consultant's total aggregate liability under or in relation to the Contract (including any breach thereof) or the Services shall in no case exceed the amount of the total contract value of the Consultancy Services. <p>In no event shall the Consultant have any liability under or in relation to the Contract (including any breach thereof) or Services for any indirect or consequential damages of any nature whatsoever such as but not limited to damages arising out of or pertaining to loss of use of property, loss of profits or other revenue, interest, loss of product, increased expenses or business interruption, however the same may be caused.</p>	<p>Refer second para of GCC clause no 30.0 for "LIMITATION OF LIABILITIES" Hence Tender Provision shall prevail in this regard</p>
7.	Clause 50/P 42 of 88 of GCC	<p>50.0/New Clause-Contract Price: The Contract price shall remain FIRM throughout the contract period and will NOT be subject to adjustment for price escalation during the performance of the Contract.</p>	<p>We like to draw your attention to the fact that the assignment involves a lot of liasoning, follow up and approvals with various government bodies which may extend the contractual contract period of 18 months by any amount of time which is no way in control of the consultant. Hence, we request to add the following para at the end of clause 50.</p> <p>"If the contract period got extended for the reasons not attributable to the Consultant, then the Consultant shall be paid an</p>	<p>Tender Provision shall prevail in this regard</p>

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			escalation of 10% per annum for the extended period of the contract".	
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