

NTPC Limited
(A Government of India Enterprise)
SSC, ERHQ-I, Barh

NTPC BARH STPP, Post - Barh, Dist. Patna, PIN-803215, Bihar

NOTICE INVITING TENDER (NIT)/Invitation for bids (IFB)
(Domestic Competitive Bidding)

1.0 NTPC invites bids from eligible Bidders for **“Renovation and Up-gradation of NTPC Farakka MGR Rail Track Under Mega R&M Plan”** through **e-tender**

2.0 Brief Information of NIT

NIT Subject	Renovation and Up-gradation of NTPC Farakka MGR Rail Track Under Mega R&M Plan.
NIT No. /Date	NTPC/SSC - ER-I(Barh)/ 9900219641
Estimated Cost	As per Enclosed NIT.
Completion Period	The period of contract shall be 18 Months from date of start of contract
Document Sale Start Date & Time	As per GePNIC NIT schedule of dates
Document Sale Close Date & Time	As per GePNIC NIT schedule of dates
Source of IFB/NIT	SSC-C&M, ER-I HQ, Barh, NTPC Ltd, PO- NTPC Barh, Dist- Patna,Bihar - 803215
Contract Classification	Works Contract
Last Date for seeking clarification	As per GePNIC NIT schedule of dates
Last Date and Time for Bid submission	As per GePNIC NIT schedule of dates
Technical Opening Date & Time	As per GePNIC NIT schedule of dates
Estimated Cost	Rs. 80.06 Crore
Cost of Bidding Documents/Tender Fee (Non Refundable)	Rs. 26550/-
Bid security declaration in lieu of EMD (As per format as provided in last page of this file)	Bidders are mandatorily required to submit, “Bid Security Declaration” as per format enclosed as “Bid Security Declaration Form”.
URL of GePNICPortal	https://eprocurementpc.nic.in

3.0 Qualifying Requirements:

1.0 TECHNICAL CRITERIA:

ROUTE-1:

1.1

Bidder should be “an approved Consultant/ Firm with any Zone of Indian Railways, to undertake the survey & construction of Private sidings”, as on the date Techno-commercial bid opening date.

AND

1.2

Bidder should have successfully executed the work of “Maintenance/ Laying/ Linking/ Erection/ Construction/ Renewal/ Augmentation/ Refurbishment (or any combination thereof) of railway track as per Indian Railway Permanent Way Manual (IRPMM) for a cumulative running track length of 100 KM or more, out of which one executed work-order should be for a minimum running track length of **20 KM**, at any Indian Railways/ Public Sector/ Public or Private Ltd. Co. Sidings” during preceding Seven (07) years reckoned from the date of Techno – Commercial bid opening.

OR

ROUTE-2:

2.1

Bidder who **does not fulfill the requirements as per clause 1.1 above**, can also participate provided the Bidder has “**executed work as defined in the clause 1.2 above for any zone of Indian Railways and also associates/ collaborates with a party fully meeting the requirements of Clause 1.1 above.**”

2.2

In such a case, the Bidder shall be required to furnish a **Deed of Joint Undertaking (DJU)** jointly executed by the Bidder and the Collaborator(s)/ Associate(s), **the promoter(s) having 25% or higher equity participation in the Subsidiary / JV company (as the case may be)**, in which the executants of DJU shall jointly and severally be liable to the Employer for successful execution of the work, as per the format enclosed with the bidding documents. The Deed of Joint Undertaking (DJU) shall be submitted along with the techno-commercial bid, failing which Bidder shall be disqualified and its bid shall be rejected.

2.3

In case of award, the Collaborator(s)/ Associates shall be required to furnish an **on demand bank guarantee** (as per the format enclosed with the bidding documents) for a value **equal to 2% (two percent) of the contract price** in addition to the Contract Performance Security to be furnished by the Bidder.

2.0 FINANCIAL CRITERIA:

Average annual turnover of the Bidder, in the preceding three (03) consecutive financial years as on the date of Techno- Commercial bid opening, should not be less than **Rs. 59.30 Crores (INR Fifty Nine Crore and Thirty Nine Lacs Only)**.

3.1

In case a **Bidder does not satisfy the average annual financial turnover criteria**, stipulated above on its own, its Holding Company would be required to meet the stipulated turnover requirements as above, provided that the Net Worth of such Holding Company as on the last day of the preceding financial year is at least equal to or more than the paid-up share capital of the Holding Company. In such an event, the Bidder would be requested to furnish along with its Techno- Commercial bid, a Letter of Undertaking from the Holding Company, supported by the Holding Company's Board Resolution, as per the format enclosed in the Techno- Commercial Bid Documents, pledging unconditional & irrevocable financial support for the execution of the Contract by the Bidder in case of award.

3.2

In case the bidder is not able to furnish its audited financial statements on stand-alone entity basis, the unaudited unconsolidated financial statements of the bidder can be considered acceptable provided the bidder further furnishes the following documents for substantiation of its qualification:

- i) Copies of the unaudited unconsolidated financial statements of the bidder along with copies of the audited consolidated financial statements of the Holding Company.
- ii) A certificate from the CEO/ CFO of the Holding Company, as per the format enclosed in the bidding documents, stating that the unaudited unconsolidated financial statements form part of the consolidated financial statements of the Holding Company.

3.3

In cases **where audited results for the last financial year** as on the date of Techno-commercial bid opening **are not available**, the financial results **certified by a practicing Chartered Accountant** shall be considered acceptable. In case, Bidder is not able to submit the certificate from practicing Chartered Accountant certifying its financial parameters, the audited results for the three (03) consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters.

Further, a **certificate** would be required **from CEO/ CFO** as per the format enclosed in the bidding document stating that the financial results of the company are under audit as on the date of Techno-commercial bid opening and the certificate from the practicing Chartered Accountant certifying financial parameters is not available.

3.4

Net worth of the Bidder should not be less than 100% (hundred percent) of its paid up share capital as on the last day of the preceding Financial year on the due date of Techno-commercial bid opening.

In case the Bidder does not meet the Net worth criteria on its own, it can meet the requirements of Net worth based on the strength of its **Subsidiary (ies) and/ or Holding Company and/ or Subsidiaries of the Holding Companies** wherever applicable. In such a case, however the Net worth of the Bidder and its Subsidiary (ies) and/or Holding Company and/or Subsidiaries of the Holding Companies, in combined manner should not be less than 100% of their total paid up share capital. However

individually, their Net worth should not be less than 75% of their respective paid up share capitals.

For Consortiums/ Joint Ventures, wherever applicable, the Net worth of all consortium/ Joint Venture members in combined manner should not be less than 100% of their paid up share capital. However individually, their Net worth should not be less than 75% of their respective paid up share capitals.

Net worth in combined manner shall be calculated as follows:

$$\text{Net worth (combined)} = [(X1 + X2 + X3) / (Y1 + Y2 + Y3)] \times 100$$

Where X1, X2, X3 are individual Net worth which should not be less than 75% of the respective paid up share capitals and Y1, Y2, Y3 are individual paid up share capitals.

3.5

In case bidder is participating through Route-1:

Reference works executed by the Bidder, as a member of Joint Venture/ Consortium/ Associate can also be considered provided:

- a) **The allocation of scope of work between the partners of the Joint Venture / Consortium/ Associate is clearly defined** in the executed Joint Venture Agreement/ Consortium Agreement/ Deed of Joint Undertaking and Bidder's scope of work and break-up of quantities executed by them as individual contribution in the Joint Venture/ Consortium/ Associate, duly authenticated by the Project Authority, meet the relevant provisions of qualifying requirement.
- b) In case the reference work has been executed by the Bidder in an integrated Joint Venture wherein allocation of scope of work and **break-up of quantities between the partners is not clearly specified** in the integrated Joint Venture Agreement, then for **Clause 1.2** above, the credit of executed quantities can be claimed by the bidder in the ratio of bidder's share in the integrated Joint Venture Agreement, provided the bidder establishes that it regularly undertakes works as at **Clause 1.2** above. The executed works/ quantities by integrated Joint Venture shall be duly authenticated by the Project Authority.
- c) However, the bidder will not be eligible to claim the credit of executed work by integrated Joint Venture for **Clause 2.0** above, unless the bidder has individually executed the work meeting the requirement of **Clause 2.0** above and which has been duly authenticated by the Project Authority.

In case a bidder is participating through Route-2 (JV route):

- d) Proof of execution as per clause 1.2 and AATO requirements as per clause 2.0 are to be satisfied by both of the JV partners individually, in the same proportion as that of their equity holding in the JV entity (either pre-existing / newly formed) for similar work.

3.6

Clarificatory Notes for the Clauses above:

- (i) The word “**Executed**” mentioned above means that the bidder should have achieved the criteria specified above within the preceding seven (07) years period, even if the total contract is started earlier and/ or is not completed/ closed.
 - (ii) Reference work executed by **bidder as a sub-contractor** may also be considered provided the **certificate issued by the main contractor** is duly **certified by the Project Authority** specifying the work executed by the sub- contractor in support of the qualifying requirements.
 - (iii) Bidder must submit requisite **credentials in support of** having met the **qualifying requirements, along with their**
 - (iv) **technical bid**. Credentials may include:
 - a. Purchase Order/ Work Order copies.
 - b. Work Completion / Performance Certificate from the end user.
 - (v) **Net worth means** the sum total of the paid up share capital and free reserves. Free reserve means all reserves credited out of the profits and share premium account, but does not include reserves credited out of the revaluation of the assets, write back of depreciation provision and amalgamation. Further any debit balance of Profit and Loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from reserves and surplus.
 - (vi) **Other income** shall not be considered for arriving at annual turnover figures.
 - (vii) “**Holding Company**” and “**Subsidiary Company**” shall have the meaning ascribed to them as per Companies Act of India.
 - (viii) For **Annual Turnover indicated in foreign currency**, the exchange rate as on seven (07) days prior to the date of techno-commercial bid opening shall be used.
 - (ix) All **Financial figures** mentioned above are **exclusive of GST**.
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4.0 SUBMISSION OF BIDS:

- a) Bidders are mandatorily required to submit, “Bid Security Declaration” (in lieu of EMD) as per format enclosed as “**Bid Security Declaration Form**”.
- b)
 - i) **Technical & price bid to be submitted in online only in relevant GePNIC folder.**
 - ii) **Any online bids without acceptable bid security declaration will be considered as non-responsive bids.**
 - iii) **Online acceptance of GTE in GePNIC (General Technical Evaluation) will also be treated as bidder’s “unconditional acceptance” towards NIL deviation certificate as attached as file name: 6.biddocument NilDev SecVI and bidder’s “unconditional acceptance” towards acceptable “Bid Security Declaration”**
- c) **MSME benefits are not applicable for this case.**

d) "Class-I local suppliers' only are eligible to participate in this tender, as defined in the bidding documents/ Public Procurement (Preference to Make in India), Order 2017 and its subsequent amendments/ revisions issued by DPIIT. The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids."

Note:

(i) For details of "Preference to Make In India and Eligibility for Participation/ granting of Purchase Preference to Class-I local suppliers" may please refer to "3. Annexure – I to BDS (REV. 01)".

(ii) Bidder must fill the requisite information in Bid Form-I. Please refer "7. Bid Form-I Local -content declaration to be submitted".

e) **TECHNO COMMERCIAL BID:**

Techno Commercial bid is to be submitted in the e-procurement portal of NTPC (GePNIC). It is suggested that the bidder may fill the techno commercial bid well in advance to avoid last minute problems/rush in the system.

Techno Commercial bid is to be filled online after carefully examining the documents / conditions and the schedule of work. All the prices are to be filled in at the relevant fields in attached BOQ Excel sheet.

- 5.0 NTPC reserves the right to reject any or all bids or cancel/withdraw the Invitation for Bids (IFB) for the subject package without assigning any reason; whatsoever, and in such case no bidder/intending bidder shall have any claim arising out of such action.
- 6.0 Issuance of bid documents to any Bidder shall not construe that such bidder is considered to be qualified.
- 7.0 Transfer of Bidding Documents purchased by one intending bidder to another is not permissible.
- 8.0 A complete set of Bidding Documents may be downloaded by any interested bidder directly through NTPC e-procurement portal, <https://eprocurementpc.nic.in>.

Note: No hard copy of Bidding Documents shall be issued

- 9.0 Procedure of bid opening: For submission of bids, the time and scheduled Bid Submission Date shall be treated as cut-off line, and accordingly, the bids shall be frozen. The online bidding system will not allow bid submission after the respective specified expiry date and time. Make sure the bid submission is completed well in advance of the time. The tender Committee or their authorised representatives shall open the Technical bid and evaluation shall be done. If the scheduled Bid Opening Date happens to be a closed holiday, the next working day shall be treated as Bid Opening Date.

10.0. Technical Bid shall be evaluated for conformity to NTPC's requirements. Wherever clarifications are required, same shall be taken through exchange of correspondence.

11.0 ~~NTPC Ltd will not be responsible for any short of postal delay in receiving of offline envelopes containing Tender Fee for bidders who are not eligible to get exemption (*) towards Tender Fee & EMD.~~

12.0. Address for Communication: -

A) Name: Balram Prasad	B) Name: Pankaj Kumar
Designation:AGM (C&M)/Contracts	Designation: DGM (C&M)/Contracts
Contact No.: 9415342031	Contact No.:9431600805
E-mail: balramprasad@ntpc.co.in	E-mail: pankajkumar07@ntpc.co.in

Address :-

**ER-I SSC-C&M dept (EDC Building)
NTPC Ltd, PO- NTPC Barh,
Dist- Patna, Bihar – 803215**

Bid Security Declaration Form

To
NTPC Ltd
SSC ER-I Barh
PO NTPC Barh
Dist Patna , Bihar

Dear Sirs,

In accordance with Invitation for Bids under your Bid Document No. **NTPC/SSC - ER-I(Barh)/9900219641**. We, M/s.....[Bidder's Name]..... having our Registered/ Head Office at..... (hereinafter called the 'Bidder') wish to participate in the said tender for **Renovation and Up-gradation of NTPC Farakka MGR Rail Track Under Mega R&M Plan**.

We confirm that we have read the provisions of the bidding document no. **NTPC/SSC - ER-I(Barh)/9900219641** and we hereby declare the following:

1. We confirm that, in case we withdraw our offer within the validity period of the offer provided in the bidding documents or any extension thereof, then we shall be treated as ineligible for participation in the future tenders issued from NTPC for a period of **06 months** from the date of withdrawal of the bid.

2. In addition, we also confirm that in case after having been issued the Notification of Award/Purchase Order of a package, we either do not accept the Notification of Award/Purchase Order or do not sign the Contract or do not submit an acceptable Performance Security as per bidding documents provision, and which result in tender being annulled then we shall be treated ineligible for participation in re- tendering of this particular package and contractual action may be taken against us as per the provisions of the Bidding documents. Further, NTPC shall also be free to take further actions as per the provisions of the policy for Withholding and Banning of Business Dealings.

Date:

Signature

Place:

Name of the Authorized person