

**NTPC LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)**

**UNIFIED SHARED SERVICE CENTRE, CPG-1, RAIPUR
CONTRACT & MATERIAL DEPTT**

NOTICE INVITING TENDER (NIT)

FOR

**Rate contract for Pond ash transportation from NTPC Darlipali ash dyke to road
construction sites
(Domestic Competitive Bidding)**

- I. NTPC invites on-line bids on **Single Stage Two Envelope Bidding basis (Envelope-I: Techno-commercial Bid & Envelope-II: Price Bid)** from Eligible Bidders for aforesaid package, as per the scope of work briefly mentioned hereinafter.
- II. **Brief Scope of Work:**
Contract Proposal for **Rate contract for Pond ash transportation from NTPC Darlipali ash dyke to road construction sites.**
The detailed scope and description of work covered under this package has been specified in relevant clause of Detailed Technical Specification.
NTPC intends to finance subject Package through Domestic Commercial Borrowings/Own sources.
- III. Detailed Specification, Scope of Work and Terms and Conditions are given in the bidding document, which are available for examination at our e Procurement Portal (<https://eprocurementpc.nic.in/nicgep/app>) and as per the following schedule:

Source of IFB/NIT	Central Procurement Group-1, Raipur
Mode of Tendering	Custom Bid Service on GeM Portal
Document Download Commencement Date & Time	As per details at GeM Portal
Last date for receipt of queries from bidders (if any)	
Last Date and Time for Bid submission	
Technical Bid Opening Date & Time	
Price Bid Opening Date & Time	Shall be intimated separately
Bid Security / EMD (INR)	Rs. 50,00,000/- (Rupees Fifty Lakhs only)
Benefit to MSME	Applicable. The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.

Rate Contract Period	Twelve (12) months
Pre-Bid Conference Date & Time (if any)	Shall be intimated separately
Reverse Auction	Not Applicable
Integrity Pact	Applicable
Splitting of Quantity	Applicable. The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.

“No Queries from Bidders, whatsoever, shall be entertained by the Employer beyond the last date of receipt of Queries/ Pre-Bid Conference (if applicable) as specified on online portal.”

As per provisions of Bidding Documents, the Bidders shall submit “Techno-Commercial Proposal” and “Price Proposal” online (<https://gem.gov.in>), within the bid submission date and time as mentioned above.

Note: For any corrigendum and extension of date of bid submission, please visit the website <https://gem.gov.in>.

- IV. All bids must be accompanied by Bid Security, Power of Attorney and Integrity Pact. **Integrity Pact shall be submitted as per instruction mentioned in ITB/ BDS.**

Bid Security shall be submitted in a sealed envelope separately in physical form by the stipulated bid submission closing date and time at the address given below.

ANY BID NOT ACCOMPANIED BY AN ACCEPTABLE BID SECURITY AND INTEGRITY PACT SHALL BE REJECTED BY THE EMPLOYER AS BEING NON-RESPONSIVE AND SHALL NOT BE OPENED.

- V. **Qualifying Requirements for Bidders:**

The bidder who wishes to participate in the bidding shall meet the Qualifying Requirements stipulated hereunder:

1.0 TECHNICAL CRITERIA:

The bidder should have executed the following work(s) with “minimum executed value of **Rs 40 Crs (INR Forty Crores Only)** within the preceding seven (07) years reckoned from the date of Techno-commercial bid opening, through any of the following routes:

ROUTE 1:

Construction of ‘Ash Dyke’/ ‘Embankment’/ ‘Earthen Dam’/ ‘Road’ / ‘Site Levelling’

Note for Route 1:

Strengthening and widening of roads will also be considered under “construction of road”. However, works involving only repair and maintenance of road(s) will not be considered as “construction of road”

OR

ROUTE 2:

The Work of Transportation through Road (including loading/unloading) of ‘Ash’ / ‘Any Earthen Material’/‘Any Mineral’/ ‘Coal’

OR

ROUTE 3:

The Work of "Earthwork including loading/unloading and transportation *by road*" in any Civil Works (other than those listed above in Route 1).

Note for Route 3:

Under Route-3 above, a *Bidder* can submit bid citing details of Civil Works as their experience /Reference Works which are not covered under Route-1.

In such Civil Works (under Route-3), the executed value of only those BOQ Items shall be considered for the purpose of calculating "Executed Value" which are pertaining to "Earthwork including loading/unloading and transportation". Earthwork in respect of all kinds of soil, soft rock, hard rock shall be considered for the purpose of evaluation.

Notes for Route 1 / Route 2 / Route 3

1) In case of contract(s) under execution as on *date of Techno-commercial bid opening*, the value of work executed till such date will be considered.

2) For the PO/WO which were awarded prior to preceding 7 years *from the date of Techno-commercial bid opening*, the value of work executed in the preceding 7 years from the *date of Techno-commercial bid opening* will be considered.

3) Reference work executed by the bidder as a sub-contractor may also be considered provided the certificate issued by main contractor is duly certified by owner specifying the scope of work executed by the sub-contractor in support of qualifying requirements.

4) The **executed value** is defined here under:

a) **For Route1** The executed value shall mean the total value of work executed under a single Purchase Order/Work Order/Agreement under Route1.

b) **For Route2** The executed value shall mean the total value of work executed under a single Purchase Order/Work Order/Agreement under Route2. However, if the work of "Transportation through Road (including loading/unloading)" is part of some different nature of Work/ Purchase Order/Work Order/Agreement, then the total value of work executed in respect of similar Items will only be considered.

c) **For Route3** The executed value shall mean the total value of work executed in respect of BOQ items/works as stipulated under Route3 in a single Purchase Order/Work Order/Agreement.

2.0 FINANCIAL CRITERIA:

2.1 The Average Annual Financial Turnover (AATO) of the bidder during preceding three (03) consecutive financial years as on the date of techno- commercial bid opening should not be less than **Rs 50 Crs(INR Fifty Crores Only)**.

In case the *Bidder does not satisfy the financial criteria*, stipulated above on its own, its Holding Company would be required to meet the stipulated turnover requirements, 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 required 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 Bid Documents, pledging unconditional & irrevocable financial support for the execution of the Contract by the *Bidder* in case of award.

2.2 **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 reckoned from the 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.

Net worth in combined manner shall be calculated as follows:

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% (Seventy five percentage)** of the respective paid-up share capitals and Y1, Y2, Y3 are individual paid up share capitals.

2.3 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 Annual Financial Statements of the Holding Company

2.4 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.

Notes for Clause 2.0 above:

(i) **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.

(ii) **Other income** shall not be considered for arriving at annual turnover figures.

(iii) **“Holding Company”** and **“Subsidiary Company”** shall have the meaning ascribed to them as per Companies Act of India.

In case, a bidder has been considered pre-qualified for the 'Execution Capability' & 'Average Annual Turnover (AATO)' of **“INR 50 Crs”**, based on **“Vendor Enlistment Circular AST-01 for ‘Transportation of Ash from NTPC Plants to Various Destinations’** in the past and above communication has been issued to the bidder before submission of Techno-Commercial bids, such agency shall not be required to submit any details/ documents pertaining to reference plants/ works in support of fulfilment of Qualification Requirements.

- However, in case, a bidder has been pre-qualified for a lower value of either 'Execution Capability or Average Annual turnover(AATO)' of "INR 50 Crs" or whose validity period of NTPC enlistment has lapsed, then such bidder has to necessarily submit the relevant documents viz. Purchase Orders/Work Orders/Letter of Award/Rate Contract, Completion Certificate, financial documents etc along with the Bid in support of fulfilment of Qualification Requirements.
- The bidder who has not been enlisted in the "Vendor Enlistment Circular AST-01 for 'Transportation of Ash from NTPC Plants to Various Destinations", then such bidder also has to necessarily submit the relevant documents viz. Purchase Orders/Work Orders/Letter of Award/Rate Contract, Completion Certificate, financial documents etc along with the Bid in support of fulfilment of Qualification Requirements.

- VI. Any Certificate(s) / Financial Statement(s) / Audited Balance Sheet and P&L Account (wherever applicable) undertaken/ signed by a Member of Institute of Chartered Accountant of India (ICAI), which Bidders submit in support of compliance to Qualifying Requirements (QR), will carry Unique Document Identification Number (UDIN) generated in line with the Gazette Notification of Council of Institute of Chartered Accountant of India (ICAI).
- VII. The reference works whose details have been declared in their bid shall only be considered to ascertain the bidder's compliance to the specified qualifying Requirement (QR).
The Employer at its discretion may seek any clarification and/or documentary evidence only for the reference works as mentioned above. However, no change or substitution of the reference works by new/additional plant for conforming to the specified qualifying Requirement shall be sought, offered or permitted.
- VIII. Notwithstanding anything stated above, the Employer reserves the right to assess the capabilities and capacity of the Bidder/ his collaborators / associates/ subsidiaries / group companies to perform the contract, should the circumstances warrant such assessment in the overall interest of the Employer.
- IX. '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.**
- X. Any 'Bidder from a country which shares a land border with India', as specified in the Bidding Documents, will be eligible to bid in this tender only if bidder is registered with the Competent Authority as mentioned in the Bidding Documents.
However, the said requirement of registration will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects.
- XI. NTPC reserves the right to reject any or all bids or cancel/withdraw the NIT 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.
- XII. The bidding document is available online. A complete set of Bidding Documents may be downloaded by any interested Bidder from the Gem Portal <https://gem.gov.in>. The Bidder would be required to register on the website.

First time users are required to register themselves on GeM Portal only. First time

users not allotted any vendor code by NTPC, should send a copy of the registration details to the e-mail address specified in this NIT under Address for Communication with following details at least three working days prior to Technical Opening Date:

- i. Request on the letter head of the Company
- ii. Address Proof
- iii. Copy of GST Registration Certificate & PAN Card,
- iv. Email ID and Contact No.
- v. Name and Designation of the contact person
- vi. Cancelled cheque & E.F.T form duly verified by bank Note:

No Hard Copy of bidding documents shall be issued.

XIII. Address for Communication

DGM/ AGM (Contracts & Materials)

NTPC Limited,
Unified Shared Service Centre,
Central Procurement Group-1,
Western Region-II Head Quarter, Plot No.-87, Sector-24, Atal Nagar
Nava Raipur, Raipur, Chhattisgarh, Pin Code-492101
Tel. No.: 0771-2515478/0771-2515220

Email: amitiwari@ntpc.co.in / gauravsaraswat@ntpc.co.in

Websites: <https://gem.gov.in>, www.ntpctender.ntpc.co.in or www.ntpc.co.in

XIV. **Registered Office:**

NTPC Limited
NTPC Bhawan, SCOPE Complex,
7, Institutional Area, Lodi Road,
New Delhi – 110003
Corporate Identification Number: L40101DL1975GOI007966.
Website: www.ntpc.co.in



Bid Number: GEM/2022/B/2888590

Dated: 22-12-2022

Bid Document

Bid Details	
Bid End Date/Time	05-01-2023 15:00:00
Bid Opening Date/Time	05-01-2023 15:30:00
Bid Offer Validity (From End Date)	180 (Days)
Ministry/State Name	Ministry Of Power
Department Name	Na
Organisation Name	Ntpc Limited
Office Name	Cg
Item Category	Handling and Transport Service - Percentage quote based - Ash Transportation
Contract Period	1 Year(s)
MSE Exemption for Years of Experience and Turnover	No
Startup Exemption for Years of Experience and Turnover	No
Document required from seller	Experience Criteria,Bidder Turnover,Certificate (Requested in ATC),Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC),Additional Doc 3 (Requested in ATC),Additional Doc 4 (Requested in ATC) *In case any bidder is seeking exemption from Experience / Turnover Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer
Bid to RA enabled	No
Type of Bid	Two Packet Bid
Time allowed for Technical Clarifications during technical evaluation	2 Days
Evaluation Method	Total value wise evaluation
Financial Document Indicating Price Breakup Required	Yes

EMD Detail

Advisory Bank	ICICI
EMD Amount	5000000

ePBG Detail

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Advisory Bank	ICICI
ePBG Percentage(%)	3.00
Duration of ePBG required (Months).	15

(a). EMD EXEMPTION: The bidder seeking EMD exemption, must submit the valid supporting document for the relevant category as per GeM GTC with the bid. Under MSE category, only manufacturers for goods and Service Providers for Services are eligible for exemption from EMD. Traders are excluded from the purview of this Policy.

(b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable.

Beneficiary:

DGM

DGM/ AGM (Contracts & Materials) NTPC Limited, Unified Shared Service Centre, Central Procurement Group-1, Western Region-II Head Quarter, Plot No.-87, Sector-24, Atal Nagar Nava Raipur, Raipur, Chhattisgarh, Pin Code-492101 Tel. No.: 0771-2515478/0771-2515220
(Amit Tiwari)

Splitting

Bid splitting not applied.

MSE Purchase Preference

MSE Purchase Preference	Yes
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1. Purchase preference to Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs as defined in Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro, Small and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail the Purchase preference for services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered service. If L-1 is not an MSE and MSE Service Provider (s) has/have quoted price within L-1+ 15% of margin of purchase preference /price band defined in relevant policy, then 100% order quantity will be awarded to such MSE bidder subject to acceptance of L1 bid price.

2. Estimated Bid Value indicated above is being declared solely for the purpose of guidance on EMD amount and for determining the Eligibility Criteria related to Turn Over, Past Performance and Project / Past Experience etc. This has no relevance or bearing on the price to be quoted by the bidders and is also not going to have any impact on bid participation. Also this is not going to be used as a criteria in determining reasonableness of quoted prices which would be determined by the buyer based on its own assessment of reasonableness and based on competitive prices received in Bid / RA process.

Excel Upload Required:

BOQ - [1671620073.xlsx](#)

Additional Qualification/Data Required

Scope of Work:[1671620125.pdf](#)

Terms and Conditions to be mentioned by Buyer for bidders to participate:[1671620127.pdf](#)

Any Other Documents and Requirement to be mentioned by Buyer:[1671620144.pdf](#)

Handling And Transport Service - Percentage Quote Based - Ash Transportation (1)

Technical Specifications

Specification	Values
Core	
SOR Items	Ash Transportation
Addon(s)	

Additional Specification Documents

Consignees/Reporting Officer

S.No.	Consignee/Reporting Officer	Address	Project based (to be kept as 1)	Additional Requirement
1	Ajit Kumar Bose	770072,Darlipali STPP P.O. Darlipali Sundargarh 770072 Odisha	1	<ul style="list-style-type: none"> Base Value : 3000000000

Buyer Added Bid Specific Terms and Conditions

1. Generic

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

2. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

A. Evaluation Criteria:

- (1) Rate contract will be finalized with a maximum of **Six (6)** bidders. Rate Contract shall be enforceable for aforesaid Project only.
- (2) **Bid Price** : Under the subject Rate contract, the Bidders are required to quote "Accepted % of base value" against the Tender Price (including GST).

For example,

- (i) If a Bidder quotes **110%** against the field "Accepted % of base value", then it will be considered that the Bidder has offered 10% Premium on the tendered Price.
- (ii) Similarly, if a Bidder quotes 90% against the field "Accepted % of base value", then it will be considered that the Bidder has offered 10% discount on the Tendered Price.

Further, Bidder's to note that the offered Premium / Discount mentioned by them in the Bid shall be uniformly applicable on Estimated Unit Rate for each line item (inclusive of GST) under the Rate Contract.

- (3) The Evaluated Bid Price (EBP) of the Bidders would be ranked in ascending order as **L-1, L-2, L-3, L-4, L-5, L6** and so on based on 'Accepted % of base value' as illustrated above.

- (4) The L-2, L-3, L-4, L-5 & L6 bidders may also be eligible for award of Rate Contract in case bidders agree to match the finalized L-1 bid price.

(5) Criteria for application of MSE Preference:

- a. If L-1 ranked bidder as per (3) above is a MSE bidder, then no further MSE preference will be applicable.
 - b. If L-1 ranked bidder as per (3) is non-MSE bidder then MSE preference will be applied to eligible MSE bidders (those MSE bidders which are falling in the range of L1+15%) as under:
 - o Top ranked MSE bidder will be offered to match its price to the finalized 'Premium/Discount' with L-1 bidder. If the TOP ranked MSE bidder accepts to match the finalized 'Premium/Discount' of L-1 bidder, preference in ranking shall be provided to the top ranked MSE bidder.
 - o If top ranked MSE bidder does not accept to match the finalized 'Premium/Discount' with L-1 bidder, other eligible MSE bidders will be given opportunity in order of their ranking (starting with the next ranked MSE bidder and so on) to match their price to the finalized 'Premium/Discount' with L-1 bidder. After acceptance to match the L-1 bidder's finalized 'Premium/Discount' by any eligible MSE bidder as above (in order of their ranking), other eligible MSE bidders shall not be eligible for any Preference in ranking.
- (6) In case, any other bidder (other than L-1 Bidder) who is given an opportunity to match the lowest finalised 'Premium/Discount' with L1 (in the order of their ranking), not agree to do so, then in that case, option shall be provided to next lowest ranked bidder to match the finalized 'Premium/Discount' of L1 bidder.

Evaluation Criteria In case of Tie-condition:

In case of tie condition amongst the Bidders (at any Positions) in respect of their Evaluated Bid Price (EBP), the ranking of bidders shall be determined on the basis of their average Annual Financial Turnover during preceding three (03) financial years, as established in evaluation of financial Qualifying Requirements, with the priority being accorded to the bidder having higher average annual financial turnover over the other bidder.

B. Work distribution criterion for Award under rate Contract

The maximum cumulative award value for eligible shortlisted bidder shall be as under:

The Cumulative maximum award value of individual bidder against Rate Contract shall be worked out as under:

$$\frac{\text{Base Value in GeM} \times [\text{"Accepted \% of base value"} / 100]}{\text{Number of shortlisted Bidders}}$$

Subject to Cumulative maximum award value of individual bidder against Rate Contract shall not exceed more than **Rs. 50 Cr (Excluding GST)**.

Examples:

*(i) Total declared Base Value: Rs. 300 Crore
Maximum No. of Bidders to be awarded (as per Tender condition): 6*

*In case, L-1 quoted/ finalised discount: 10%
No. of shortlisted Bidders (who matched L-1 quoted/ finalised Premium): 6*

*Cumulative maximum Award Value of each shortlisted Bidder: Rs. 45 Crore [300 * 0.9 / 6]*

*(ii) Total declared Base Value: Rs. 300 Crore
Maximum No. of Bidders to be awarded (as per Tender condition): 6*

*L-1 quoted/ finalised discount: 10%
No. of shortlisted Bidders (who matched L-1 quoted/ finalised Premium) : 4*

*Cumulative maximum Award Value of each shortlisted Bidder: Rs. 50 Crore [Minimum of (300 * 0.9 / 4) or 50 Max.] and remaining 70 Crore shall be left unawarded.*

Upon finalization, the Rate Contract to individual shortlisted eligible bidder(s) shall be placed through GEM Portal. Further a separate Letter of Award to individual shortlisted eligible Bidder(s) shall also be issued indicating the evaluated position, finalized rates , applicable GST, maximum award value etc shall also be issued.

During the validity of Rate Contract, as and when requirement of ash supply is received, individual work order / purchase order (PO) shall be issued to the vendor based on the aforesaid Rate Contract, for the work assigned. The Work Order / Purchase Order (PO) can be given to more than one agency, if the quantity of ash to be supplied is large.

Work distribution shall be decided by EIC as per the ranking priority (L1, L2.... Ln) on the basis of ash supply requirement, lead distances, availability of fronts, ash dyke constraints, safety, and plant operation consideration.

One example is as under:

The Work Orders / Purchase Orders (PO) shall be given to the agencies, as per following work distribution:

Normally, award shall be placed initially to lowest evaluated L-1 bidder upto award amount of approx. Rs. **20 Crore** or below. Subsequently, award for balance quantity shall be placed to L-2 bidder for an amount approx. **Rs. 20 Crore** or below and so on to L3, L4,... each. Above award shall be placed according to work requirement arisen time to time in NTPC at aforesaid Project as the Quantity is tentative in nature. After catering of award to all the eligible bidders as per aforesaid manner, the sequential cycle for award will normally be repeated in the above manner.

However, NTPC/EIC reserves the right to allocate / award the work for initial PO placement to any Contractor(s) & also for further placement of PO in any other manner. Any claim shall not be entertained by NTPC with respect to Work / PO allocation, from the contractor.

NTPC does not guarantee the placement of Purchase Order based on the rate contract with the bidders and shall not entertain any claim in this regard.

Bidder(s) may note that requirement to supply ash may arise within the state or to bordering state within the range of 300 km from thermal power plant, for which contractor shall be required to transport ash as per the rate, terms and conditions of the rate contract.

Bidder to upload Attachment 12- Integrity Pact, Attachment 14 -Declaration of GST, Attachment 15- UNDERTAKING FOR COMPLIANCE OF IMPORTANT CONDITIONS OF TENDER BY BIDDER, MSE certificate (if applicable), Power of Attorney in Additional ATC Documents.

All the terms & conditions shall be as per NTPC mentioned in ATC. If any contradiction arises between ATC and GeM terms & conditions, Terms & conditions mentioned in ATC shall prevail.

3. Buyer Added Bid Specific ATC

Buyer uploaded ATC document [Click here to view the file.](#)

Disclaimer

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization, whereby Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity / restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and / or terms and conditions governing the bid. Any clause(s) incorporated by the Buyer regarding following shall be treated as null and void and would not be considered as part of bid:-

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process.
9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.

Further, if any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations.

This Bid is governed by the [General Terms and Conditions](#), conditions stipulated in Bid and [Service Level Agreement](#) specific to this Service as provided in the Marketplace. However in case if any condition specified in General Terms and Conditions is contradicted by the conditions stipulated in Service Level Agreement, then it will over ride the conditions in the General Terms and Conditions.

In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

---Thank You---