



Bid Number/बोली क्रमांक (बिड संख्या): GEM/2024/B/5226862

Dated/दिनांक : 31-07-2024

**Bid Document/ बिड दस्तावेज़**

<b>Bid Details/बिड विवरण</b>	
<b>Bid End Date/Time/बिड बंद होने की तारीख/समय</b>	14-08-2024 17:00:00
<b>Bid Opening Date/Time/बिड खुलने की तारीख/समय</b>	14-08-2024 17:30:00
<b>Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)</b>	120 (Days)
<b>Ministry/State Name/मंत्रालय/राज्य का नाम</b>	Ministry Of Power
<b>Department Name/विभाग का नाम</b>	Na
<b>Organisation Name/संगठन का नाम</b>	Ntpc Limited
<b>Office Name/कार्यालय का नाम</b>	Cg
<b>Total Quantity/कुल मात्रा</b>	5000
<b>Item Category/मद केटेगरी</b>	PROCUREMENT OF 250NB CI PIPE
<b>MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट</b>	No
<b>Startup Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से स्टार्टअप छूट</b>	No
<b>Document required from seller/विक्रेता से मांगे गए दस्तावेज़</b>	Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC),Additional Doc 3 (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
<b>Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया</b>	No
<b>Type of Bid/बिड का प्रकार</b>	Two Packet Bid
<b>Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय</b>	3 Days
<b>Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)</b>	No
<b>Evaluation Method/मूल्यांकन पद्धति</b>	Total value wise evaluation

**EMD Detail/ईएमडी विवरण**

Advisory Bank/एडवाइजरी बैंक	ICICI
EMD Amount/ईएमडी राशि	500000

#### ePBG Detail/ईपीबीजी विवरण

Advisory Bank/एडवाइजरी बैंक	ICICI
ePBG Percentage(%) / ईपीबीजी प्रतिशत (%)	5.00
Duration of ePBG required (Months) / ईपीबीजी की अपेक्षित अवधि (महीने).	24

(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./जेम की शर्तों के अनुसार ईएमडी छूट के इच्छुक बिडर को संबंधित कटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज़ प्रस्तुत करने हैं। एमएसई कटेगरी के अंतर्गत केवल वस्तुओं के लिए विनिर्माता तथा सेवाओं के लिए सेवा प्रदाता ईएमडी से छूट के पात्र हैं। व्यापारियों को इस नीति के दायरे से बाहर रखा गया है।

(b). EMD & Performance security should be in favour of Beneficiary, wherever it is applicable./ईएमडी और संपादन जमानत राशि, जहां यह लागू होती है, लाभार्थी के पक्ष में होनी चाहिए।

#### Beneficiary/लाभार्थी :

DGM(C&M)  
CPG 1, NTPC Limited, Ministry of Power  
(Ntpc Limited)

#### Splitting/विभाजन

Bid splitting not applied/बोली विभाजन लागू नहीं किया गया.

#### Reserved for Make In India products

Reserved for Make In India products	Yes
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#### MSE Purchase Preference/एमएसई खरीद वरीयता

MSE Purchase Preference/एमएसई खरीद वरीयता	Yes
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1. Bid reserved for Make In India products: : Procurement under this bid is reserved for purchase from Class 1 local supplier as defined in public procurement (Preference to Make in India), Order 2017 as amended from time to time and its subsequent Orders/Notifications issued by concerned Nodal Ministry for specific Goods/Products. However, eligible micro and small enterprises will be allowed to participate. The minimum local content to qualify as a class 1 local supplier is denoted in the bid document. All bidders must upload a certificate from the OEM regarding the percentage of the local content and the details of locations at which the local value addition is made along with their bid, failing which the bid is liable to be rejected. In case the bid value is more than Rs 10 Crore, the declaration relating to percentage of local content shall be certified by the statutory auditor or cost auditor, if the OEM is a company and by a practicing cost accountant or a chartered accountant for OEMs other than companies as per the

Public Procurement (preference to Make-in -India) order 2017 dated 04.06.2020 . In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause. 2. Purchase preference will be given to MSEs having valid Udyam Registration and whose credentials are validated online through Udyam Registration portal 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 themselves of the Purchase preference, the bidder must be the manufacturer / OEM of the offered product on GeM. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises and hence resellers offering products manufactured by some other OEM are not eligible for any purchase preference. In respect of bid 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 product or service and Buyer will decide eligibility for purchase preference based on documentary evidence submitted, while evaluating the bid. If L-1 is not an MSE and MSE Seller (s) has / have quoted price within L-1+ 15% (Selected by Buyer) of margin of purchase preference /price band defined in relevant policy, such MSE Seller shall be given opportunity to match L-1 price and contract will be awarded for 25% (selected by Buyer) percentage of total quantity. The buyers are advised to refer the OM No. F.1/4/2021-PPD dated 18.05.2023 [OM No.1 4 2021 PPD dated 18.05.2023](#) for compliance of Concurrent application of Public Procurement Policy for Micro and Small Enterprises Order, 2012 and Public Procurement (Preference to Make in India) Order, 2017. Benefits of MSE will be allowed only if seller is validated on-line in GeM profile as well as validated and approved by Buyer after evaluation of documents submitted.

## PROCUREMENT OF 250NB CI PIPE ( 5000 meter )

(Minimum 60% Local Content required for qualifying as Class 1 Local Supplier)

### Technical Specifications/तकनीकी विशिष्टियाँ

Buyer Specification Document/क्रेता विशिष्टि दस्तावेज़	<a href="#">Download</a>
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### Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा

S.No./क्र. सं.	Consignee Reporting/Officer/परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Quantity/मात्रा	Delivery Days/डिलीवरी के दिन
1	Bidyasagar Sawaiyan	824303,Shivanpur PO-Ankhora Railway Station Bihar Aurangabad	5000	90

### Buyer Added Bid Specific Terms and Conditions/क्रेता द्वारा जोड़ी गई बिड की विशेष शर्तें

#### 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. Certificates

Bidder's offer is liable to be rejected if they don't upload any of the certificates / documents sought in the Bid document, ATC and Corrigendum if any.

### 3. **Generic**

Bidders are advised to check applicable GST on their own before quoting. Buyer will not take any responsibility in this regards. GST reimbursement will be as per actuals or as per applicable rates (whichever is lower), subject to the maximum of quoted GST %.

### 4. **Generic**

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

### 5. **Generic**

Without prejudice to Buyer's right to price adjustment by way of discount or any other right or remedy available to Buyer, Buyer may terminate the Contract or any part thereof by a written notice to the Seller, if:

- i) The Seller fails to comply with any material term of the Contract.
- ii) The Seller informs Buyer of its inability to deliver the Material(s) or any part thereof within the stipulated Delivery Period or such inability otherwise becomes apparent.
- iii) The Seller fails to deliver the Material(s) or any part thereof within the stipulated Delivery Period and/or to replace/rectify any rejected or defective Material(s) promptly.
- iv) The Seller becomes bankrupt or goes into liquidation.
- v) The Seller makes a general assignment for the benefit of creditors.
- vi) A receiver is appointed for any substantial property owned by the Seller.
- vii) The Seller has misrepresented to Buyer, acting on which misrepresentation Buyer has placed the Purchase Order on the Seller.

### 6. **Scope of Supply**

Scope of supply (Bid price to include all cost components) : Only supply of Goods

### 7. **Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

**NTPC LIMITED**  
**(A Government of India Enterprise)**

**VOLUME - II**

**SECTION I**

***SPECIAL PURCHASE CONDITIONS***

**Tender Reference Number: GeM Bid No. as per portal**

Procurement of 250 NB Cast Iron Pipe for NTPC, Nabinagar STPS

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**1.0 QUALIFYING REQUIREMENT (QR)**

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

## **1.1 TECHNICAL CRITERIA**

1.1.1 The bidder should be a Manufacturer of Cast Iron Pipes.

1.1.2 The bidder should have executed order(s) for supply of Cast Iron Pipes of size 250 NB diameter or more, within preceding seven (07) years prior to the date of Techno-Commercial bid opening in any of the following manner:

- A. One (1) order having executed value not less than **Rs. 251 Lakhs**  
OR
- B. Two (2) orders having executed value not less than **Rs. 157 Lakh each**  
OR
- C. Three (3) orders having executed value not less than **Rs. 125 Lakh each**

### **Notes for Technical Criteria:**

1. The word "Executed" mentioned above means that the bidder should have achieved the criteria specified above, even if the total contract is started earlier and/or is not completed/closed.
2. In case of orders under execution, the value of work executed prior to the date of Techno-Commercial bid opening duly certified by bidder's client shall be considered acceptable.
3. For arriving at the executed value of work specified above, basic amount only shall be considered. In case contract is inclusive of taxes, bidder should provide the break - up of basic value and taxes.
4. Latest annual report OR NSIC / SSI / MSME registration certificate / BIS license/ ISO certificate / MDCC report or any other statutory document as a proof of being manufacturer of the required material.

## 1.2 Financial Criteria:

1.2.1 The Average Annual Turnover of the Bidder, should not be less than **Rs. 313 Lakhs (Rupees Three Crore & Thirteen Lakhs only)** during the preceding three (3) completed financial years as on the date of Techno-Commercial bid opening.

1.2.2 In case the bidder does not satisfy the financial criteria, stipulated at Cl. 1.2.1 above on its own, its Holding Company would be required to meet the stipulated turnover requirements at Cl. 1.2.1 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 required to furnish along with its Techno- Commercial bid, a Letter of Undertaking from the Holding Company, supported by Board Resolution, as per the format enclosed in the bid documents, pledging unconditional and irrevocable financial support for the execution of the Contract by the bidder in case of award.

1.2.3 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.

- Copies of the unaudited unconsolidated financial statements of the bidder along with copies of the Audited consolidated financial statements of its Holding Company.
- 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 Report of the company

1.2.4 In cases where audited results for the last preceding 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 of three consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters. Further, a Certificate would be required from the CEO/CFO as per the format enclosed in the bidding documents stating that the Financial results of the Company are under audit as on the date of Techno-Commercial bid opening and the Certificate fro

m the practicing Chartered Accountant certifying the financial parameters is not available.

**Notes for 1.2:**

- i. Other income shall not be considered for arriving at annual turnover.
- ii. "Holding Company" and "Subsidiary Company" shall have the meaning ascribed to them as per Companies Act of India, in vogue.
- iii. 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.

**Documents to be submitted by the Bidder with technical Bid**

**Legible copies of the following documents duly authenticated by the authorized TPIA or ISA shall be submitted in support of the qualifying requirements along with technical bid:**

- (a) **Relevant order copies along with proof of execution** (Copy of Invoice, Shipping documents, Completion certificate issued by client/Execution certificate, Certified copy of bank statement of paymer etc.), Certified by TPIA or ISA (Annexure II OR Annexure III)
- (b) **Soft copy of Micro & Small Enterprise(MSE) Certificate** (Udyam registration certificate along with documents which proves that the agency is manufacturer of the offered item(s))
- (c) Audited copy of Profit and Loss account statement & Balance sheet for previous three completed financial years as on date of bid opening with UDIN No.
- (d) Copy of Power of Attorney of Authorized signatory (If applicable)
- (e) Other documents in support of QR
- (f) The shortfall information / documents should be sought only in case of historical documents which pre-existed at the time of the tender opening and which have not undergone change since then. So far as the submission of documents is concerned with regard to qualification criteria, after submission of the tender, only related shortfall documents should be asked for and considered. For example, if the bidder has submitted a supply order without its completion / performance certificate, the certificate can be asked for and considered. However, no new supply order should be asked for so as to qualify the bidder.



**SPECIAL PURCHASE CONDITIONS (SPC)**

(The conditions in this section will supersede any other related conditions  
anywhere else in this tender document)

**Special Purchase Conditions - Volume II Section I**

1.0	<b>TYPE OF BIDDING</b>	Single stage Two Envelope
2.0	<b>REVERSE AUCTION RULES</b>	NOT APPLICABLE
3.0	<b>PRICE BASIS</b>	F.O.R. DESTINATION BASIS (NTPC STORES BASIS as per provision on GeM portal) Consignee address for respective item given on the GeM portal
4.0	<b>Tender Fee</b>	Not Applicable
5.0	<b>EARNEST MONEY DEPOSIT (EMD) / BID SECURITY</b>	<p>The Earnest Money Deposit (EMD) shall, at Bidders option, be in the form of</p> <p>a) The Earnest Money Deposit (EMD) shall be in the form of Bank Guarantee/electronic Bank Guarantee from the banks specified in the published Gem Bid /Insurance surety Bond as per guidelines issued by IRDAI and as per prescribed format in the bid document.</p> <p>Bid Security/EMD BG should be valid for 225 days from the date of Opening of Techno-commercial offer or beyond any extension in the period of Bid validity subsequently requested.</p> <p>The Bidder shall furnish, as a part of his Bid a <b>Earnest Money Deposit/Bid Security (in case of B G, format enclosed as Attachment 6)</b> in a sealed envelope, super scribed on the top as under,</p> <p>Tender No. .... .....</p> <p>Due Date of Bid Opening ..... (Date of Techno-Commercial Bid</p> <p>From ..... (Name of the Bidder).”</p> <p>b) Micro and Small Enterprises (MSEs) registered with UD</p>

YAM portal, for goods produced for goods produced & services rendered shall be exempted from paying Earnest Money Deposit.

**MSE benefits shall not be applicable to Trader/Dealer of Goods. Further, MSE benefits shall also not be applicable for Works Contract.**

- c) As per GeM general terms and conditions (GTC)- **Format of EMD BG shall be as per the format given in Attachment 6**

**Please see clause No.-26 below for details.**

MSE Bidders shall upload valid "UDYAM Registration Certificate" or any valid MSE registration document as per the Govt. notifications issued in this regard time to time, along with Annexure A1/A2 declaration (Attachment 3) in the EMD folder/ Techno Commercial folder. In case of non submission of A1/A2 declaration along with registration Certificate the offer is liable to be rejected.

**"The format of the Bank Guarantee shall be in accordance with the form of Bank Guarantee towards Bid Security/EMD/Performance security/\*Security for the Deed of Joint Undertaking (if applicable)/\*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/\*Security for the Deed of Joint Undertaking (if applicable) included in the Employer's Bidding Documents only.**

#### **GEM FORMAT OF EMD BG IS NOT ACCEPTABLE**

**Any bid for which an acceptable bid security has not been submitted before the bid submission date and time as mentioned in NIT, shall be rejected by the employer as being non-responsive and bid shall not be opened. Bid security details and scanned copy of the instrument shall be uploaded online in an appropriate place.**

Acceptable bid security means any one of the following:

- (I) **BANK GUARANTEE in original**

In case of Bidders opting for **Bank Guarantee** as Bid Security but unable to send the Original Bank Guarantee in physical form

at the tender opening location, before the deadline for submission of bids, following shall be applicable:

(A) The issuing bank shall intimate through their own official e-mail id to concerned C&M department with a copy to Bidder regarding issuance / extension of BG along with following documents:-

- (a) The scanned copy of the BG.
- (b) SFMS message acknowledgement copy sent to NTPC banker stating the date of sending.
- (c) An undertaking through official e-mail id of bank as per format enclosed at [Annexure-A \(Appendix A to Attachment 6, page 2\)](#) attached below.

SFMS message must be sent to the Employer's bank whose details are given below at clause 6

(B) **Bidders shall be required to upload the scanned copy of the BG on GeM portal.** (If uploaded then shall be considered for opening of bid)

The bidders are requested to send the required documents (**EMD, in case submitted by way of BG in Original**) directly to the address mentioned at clause 27 below, scanned copy of the EMD shall be uploaded by the seller in the online bid and hard copy of the same will have to be submitted directly to the buyer within **10 days of bid opening, failing which the bid may be treated as incomplete & may lead to rejection of the bid by buyer without making any reference to the seller.**

- (II) Valid MSE registration document (UDYAM REGISTRATION COPY ONLY)
- (III) Other documents as per GeM General Terms and Conditions ( Clause 4 (xiii)m in GeM GTC- Revised to ten days)
- (IV) Insurance Surety Bond

6.0

**CONFIRMATION OF BG S ( CONTRACT PERFOR MANCE GUARANTEE) T HROUGH STRUCTURED FINANCIAL MESSAGING SYSTEM (SFMS)/SWIFT**

While issuing the physical BGs, the Bidder's Bank shall also send electronic message through secure SFMS (in case of BGs issued from within India) or SWIFT (in case of BGs issued from outside India) to Employer's Beneficiary Bank whose details are provided above

i	Bank Name	ICICI BANK LTD.
ii	Branch	CONNAUGHT PLACE BRANCH
iii	Bank address	9A, PHELPS BUILDING, INNER CIRCLE, NEW DELHI-110001
iv	IFSC Code	ICIC0000007

BG issuing/amending bank must send the BG advice in the form of message format via SFMS (Structured Financial Messaging System) as provided by RBI. The format of the message for confirmation of the BG shall be as below:

BG advising message: IFN 760COV/ IFN 767COV via SFMS

Field Number: Particulars (to be mentioned in Row 1)

7037: NTPCBG (unique identifier)

7.0

**VALIDITY OF OFFER**  
{ITB Clause 17.0}

**120 days** from the date of opening of the 'Technical & Commercial Bid' by NTPC

8.0

**TRANSFER OF BID DOCUMENTS**

Not applicable

9.0	<b>QUALIFYING REQUIREMENTS</b> <b>(FOR OT CASES ONLY)</b>	<p><b>As specified in the Qualifying requirement in the bidding document, Please read and submit the required documents.</b></p> <p>The bidder shall be required to submit <b>duly certified and verified documents</b> from their Statutory Auditors or specified Third Party Inspection Agency (TPIA) in support of meeting Technical QR along with a certificate regarding verification of authenticity of documents as per the format placed at <b>Annexure-II (Appendix B of Attachment 2)</b> (Undertaking from Statutory Auditor) and/ or <b>Annexure III ((Appendix C of Attachment 2)</b> (Undertaking from TPIA). <b>All the documents submitted by the bidder in support of meeting Technical QR shall be digitally signed by the Statutory Auditor and/ or specified TPIA".</b></p> <p>Further, wherever information can be drawn from books of accounts, records and other relevant documents, Bidders can also submit a certificate issued by their Independent Statutory Auditor certifying the data required for meeting the Technical Qualification Requirements.</p> <p>Where appointment of statutory auditor is not mandatory as per statute under which bidder has been incorporated, the option of certification from specified TPIA shall only be considered for such bidder.</p> <p>Details of submitted copy of Purchase Orders/ Work Orders / Contract Agreements, Client Certificates etc.), duly certified and verified by statutory auditors or specified TPIA should also be entered in <b>Attachment 2</b></p>
10.0	<b>NIL DEVIATION CERTIFICATE</b>	<p>This is a non-negotiable tender and any deviation on any condition(s) of this SPC shall render the bid as non responsive. The agency has to submit the <b>Certificate of "NIL" Deviation (Attachment 1)</b> as per the attached Performa below</p>
11.0	<b>COMPLIANCE ON QUALIFYING REQUIREMENTS</b> <b>(FOR OT CASES ONLY)</b>	<p><b>Verification of authenticity of Documents submitted by the bidder in support of meeting the Technical QR</b></p> <p>The bidder shall be required to submit <b>duly certified and verified documents</b> from their Statutory Auditors <b>OR</b> specified TPIA in support of meeting Technical QR. All the documents submitted by the bidder in support of meeting Technical QR <b>shall all be digitally signed by the Statutory Auditor and/ or specified TPIA.</b></p> <p>In case documents are certified &amp; verified for authenticity through TPIA, the verification and certification of authenticity of documents is acceptable from any of the TPIAs <b>as mentioned at NTPC tender website</b></p> <p><a href="https://ntpctender.ntpc.co.in/">(https://ntpctender.ntpc.co.in/)</a></p> <p>under "Policy for Document Authentication</p>

Process in Tenders of NTPC Ltd” tab. However, **Bidders must verify the accreditation validity of the designated TPIA before proceeding to engage them**

**for document certification.**

The following website may be referred for contact details and accreditation

validity of above mentioned TPIAs:

<https://nabcb.qci.org.in/inspection-body/>

Any document pertaining to reference works/ plants in support of Technical QR, which is not certified by specified TPIA or Statutory Auditor of the bidder, as per the format enclosed with the bidding documents, shall not be considered verified/ certified for the purpose of evaluation, and the bid shall be liable for rejection.

The Bidder shall be responsible to get their documents/ credentials in support of Qualifying Requirements verified & certified by their Statutory Auditor(s) and/ or specified TPIAs. All the costs pertaining to third party verification and certification (including those by statutory auditors) shall be borne by the Bidder. Employer shall have no liability (financial or otherwise) towards the same and shall not be liable for any claim/ dispute between the bidder and TPIA and/ or Statutory Auditor.

The order copies/references given in the original offer shall be considered for ascertaining the bidder’s technical capability in regard to meeting the qualifying requirement. These references shall only be considered to ascertain the bidder’s compliance to Qualifying Requirement (QR). No claims without supporting documents shall be accepted in this regard. However, if any of the Work Orders/Purchase Orders/Letter of Awards/Contract Agreements pertain to the work executed by Bidder for NTPC or Subsidiary/JV companies of NTPC in the past, then in respect of such Work Orders/Purchase Orders/Letter of Awards/Contract Agreements, Bidder shall not be required to enclose Client Certificate/Certification along with its Bid. NTPC may obtain verification from the clients / customers of the vendor on its own, or, verify from internal available information like SAP etc with respect to earlier POs etc, or, may accept documents already verified in earlier tenders.

Bidders wishing to provide additional Work Orders/Purchase Orders/Letter of Awards/Contract Agreements are required to declare the same in similar format which shall be additionally attached and uploaded. **However, bidders are not permitted to quote more than the three times the number of Work Orders/Purchase Orders/Letter of Awards/Contract Agreement for QR given below in this document**

12.0	<b>JURISDICTION</b>	Raipur
13.0	<b>PLACE OF ARBITRATION</b>	New Delhi, India
14.0	<b>INSURANCE</b>	Bidder shall be responsible for Insurance and safe delivery of material. Insurance charges shall be in vendor’s scope.

15.0	<b>FREIGHT</b>	Bidder shall be responsible for transportation and safe delivery of Material at NTPC Stores
16.0	<b>DELIVERY AND COMPLETION SCHEDULE</b>	<b>Within 90 days from the date of PO placement</b>
17.0	<b>PAYMENT TERMS</b>	100% within 30 days of receipt and acceptance of material at NTPC stores.
18.0	<b>Performance Bank Guarantee (PBG)</b>	<p>The successful bidder shall be required to furnish the Performance Bank Guarantee (PBG) for an amount equal to 5 % of total order value. PBG should be valid for a period of three months (3 months) beyond the expiry of defect liability period. The PBG should be submitted within 30 days of placement of award.</p> <p>PBG shall be submitted as per amount mentioned in SAP regularizing PO , issued against each project.</p> <p><b>The format of PBG shall be as per Employer's bidding document.</b></p> <p><b>APPLICABLE</b></p> <p>NTPC's Beneficiary Bank details for SFMS are as below:-</p> <p>For Domestic BG</p> <p>i) Bank Name ICICI bank Ltd  ii) Branch Connaught Place, New Delhi  iii) IFSC Code ICIC0000007  iv) Secured Message type IFN 760COV / IFN 767 COV  V) Field Number 7037</p> <p>Bidders/ Vendors are advised to ensure that their Bankers send the secure SFMS.</p>
19.0	<b>TAXES &amp; DUTIES</b>	<p>Inclusive as per provision on GeM portal.</p> <p>The HSN code of the material to be provided by the bidder in the offer along with item wise GST applicable rates. Based on this information provided in the offer SAP regularizing PO shall be issued in reference to the GeM contract issued on successful bidder. The SAP regularizing PO (Project wise) is required for raising inspection call on our team portal and for payment procedure in the NTPC SAP system.</p>

20.0	<b>WARRANTY / GUARANTEE/DEFECT LIABILITY PERIOD</b>	12 Months from date of use or 18 Months from date of supply whichever ever expires earlier
21.0	<b>INSPECTION</b>	<p><b>PDI shall be carried out by NTPC RIO at Vendor's works</b></p> <ul style="list-style-type: none"> <li>• Pre-Dispatch Inspection (PDI) shall be done by NTPC as per P.O . terms &amp; conditions and approved Quality Plan.</li> <li>• Standard Quality Plan (SQP) is enclosed for acceptance by you. <b>Vendor should mention Works address in their offer (The place where PDI will be carried out by RIO, NTPC).</b></li> </ul> <p><b>All testing charges shall be in the scope of agency</b></p>
22.0	<b>INTEGRITY PACT</b>	Not applicable
23.0	<b>Evaluation Criteria</b>	<b>As per provision on the GeM portal</b>
24.0	<b>Price Adjustments</b>	<b>Not Applicable</b>



25.0	<b>MSE Benefits</b>	<p>Benefits under PPP 2012 for MSEs shall be provided for (a) Goods produced and (b) Services provided by MSEs. MSE benefits shall not be applicable to Trader/Dealer of Goods.</p> <p>Only <b>Micro and Small Enterprises</b> registered with the following shall be considered for MSE benefits:</p> <ul style="list-style-type: none"> <li>• <b>Udyam Registration Certificate</b></li> </ul> <p>MSE Bidders (who are seeking EMD exemption and price preference) must attach duly filled and signed <b>Annexure-A1</b> (format given in Attachment 2)) along with valid UDYAM registration in their online bid in appropriate folder in GeM failing which MSE benefits may not be extended to them. No further claim in this regard shall be entertained by the Employer.</p> <p><b>Applicability of purchase preference for MSE Bidders:</b> In order to get the purchase preference MSE vendor must apply on the GeM portal &amp; documents to be uploaded in appropriate folder else portal will not allow the purchase preference and further evaluation shall be done as non MSE bidder. No further claim in this regard shall be entertained by the Employer.</p> <p>Preference shall be applicable as per public procurement policy for Micro &amp; Small Enterprises order,2012 &amp; Public procurement (Preference to Make in India), order 2017.</p>
26.0	<b>E-WAYBILL</b>	E WAY BILL if required shall be arranged by the vendor.
27.0	<b>Conflict of Interest</b>	<p>A bidder shall not have conflict of interest with other bidders. Such conflict of interest can lead to anti-competitive practices to the detriment of Employer's interests. A bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if:</p> <ol style="list-style-type: none"> <li>a) they directly or indirectly control, or are controlled by or are under common control of another entity; or</li> <li>b) they have the same legal representative/agent for purposes of their bids;</li> </ol> <p>or</p> <ol style="list-style-type: none"> <li>c) they have relationship with each other, directly or through common third party(ies), that puts them in a position to have access to information about or influence on the bid of another Bidder; or</li> <li>d) Bidder and/or any of its allied entity(ies), which directly or indirectly control(s) or is(are) controlled</li> </ol>

d by or is(are) under common control of another entity, has(ve) participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the tender; or

- e) Bidder participates in more than one bid in this bidding process.
- f) In cases of agents quoting on behalf of their principal manufacturers/service providers, one agent cannot represent two manufacturers/service providers or quote on their behalf in a particular tender enquiry. One manufacturer/service provider can also authorize only one agent. There can be only one bid from the following:

- i) The principal manufacturer/service provider directly or through one Indian agent on his behalf; and

- ii) Indian/foreign agent on behalf of only one principal.

For the purposes of this clause the term 'control' shall have the following meaning:

"Control" shall include the right to appoint majority of the directors or to control the management or policy decisions exercisable by a person or persons acting individually or in concert, directly or indirectly, including by virtue of their shareholding or management rights or shareholders' agreements or voting agreements or in any other manner.

**Note: If two or more CPSEs/State PSEs participate in a tender, they will not be deemed to fall under the 'Conflict of Interest' provisions solely because they are under common control of Government of India/State Government.**

**XX.2 Bidders shall certify their compliance to Clause "Conflict of Interest" by accepting the following General Technical Evaluation (GTE)**

"Do you certify full compliance to all provisions of Bidding Document?"

Acceptance of above GTE shall be considered as Bidder's confirmation that Bidder has read and understood the Clause regarding "Conflict of Interest" and its bid is in compliance to this clause.

In case it is established that Bidder has provided any false information in pursuance of the aforesaid Clause, while competing for this contract, then its bid shall be rejected and EMD/bid security shall be forfeited.

In case of a successful bidder, if it is established that the Bidder has not complied with terms of aforesaid Clause, during execution of contract, this would be considered as fraudulent practice as mentioned in para 5.1 (j) of "Policy for Debarment from Business Dealings" and shall be dealt accordingly.

28.0

**Other Conditions [Applicable]**

Any dispute arising out of this contract shall be dealt as per the NTPC dispute resolution policy and procedures with its amendments from time to time.

**The Bidder along with its associate/collaborators/sub-contractors/sub vendors/consultants/service providers shall strictly adhere to the Fraud Prevention Policy of EMPLOYER displayed on its tender website <https://ntpctender.ntpc.co.in> and shall immediately apprise Employer about any fraud or suspected fraud as soon as it comes to their notice.**

The Employer has in place a policy for withholding and banning of Business Dealings and same is displayed on its tender website <https://ntpctender.ntpc.co.in>. Business dealings may be withheld or banned with the Bidder/Contractor on account of any default by the contractor.

The Bidder and its employees along with its Associate/ Collaborator/ Sub Contractors / Sub-Vendors / Consultants / Service Providers and all other persons associated with business of Employer shall strictly adhere to Anti Bribery and Anti-Corruption (ABAC) Policy of Employer displayed on tender website <https://ntpctender.ntpc.co.in/>.

**The bids submitted against this tender constitute that bidders are in agreement and accept all the clauses of these policies.**

The bids submitted by the banned/blacklisted agencies by NTPC in past shall be outrightly rejected.

The Employer reserves the right to accept or reject any Bid, and to annul the bidding process and reject all Bids at any time prior to Contract award, without thereby incurring any liability to the Affected Bidder or Bidders or any obligation to inform the affected Bidder(s) of the grounds for the Employer's action.

29.0

**Bid to be addressed to**

GM(C&M)-CPG-1

NTPC Limited, Western Region II Headquarters, Plot No-87, Sector-24, Atal Nagar, Naya Raipur, Raipur Chhatisgarh-492018 Email:- usgupta01@ntpc.co.in /

30.0	<b>CONTACT PERSONS / ADDRESS</b>	Mr. Manish Kumar DGM(C&M) NTPC Limited, Western Region II Headquarters, Plot No-87, Sector-24, Atal Nagar, Naya Raipur, Raipur Chhatisgarh-492018 M-9431813833	Mr. <b>Gobardhan Birganthia</b> AGM(C&M), NTPC Limited, Western Region II Headquarters, Plot No-87, Sector-24, Atal Nagar, Naya Raipur, Raipur Chhatisgarh-492018
	<b>Email</b>	<a href="mailto:Manishkumar06@ntpc.co.in">Manishkumar06@ntpc.co.in</a>	<a href="mailto:gbirganthia@ntpc.co.in">gbirganthia@ntpc.co.in</a>

#### 8. Buyer Added Bid Specific ATC

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

### **Disclaimer/अस्वीकरण**

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. If any clause(s) is / are incorporated by the Buyer regarding following, the bid and resultant contracts shall be treated as null and void and such bids may be cancelled by GeM at any stage of bidding process without any notice:-

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. (However, in bids for [attached categories](#), trials are allowed as per approved procurement policy of the buyer nodal Ministries)
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 also governed by the General Terms and Conditions/ यह बिड सामान्य शर्तों के अंतर्गत भी शासित है](#)

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. /जेम की सामान्य शर्तों के खंड 26 के संदर्भ में भारत के साथ भूमि सीमा साझा करने वाले देश के बिडर से खरीद पर प्रतिबंध संबंध में भारत के साथ भूमि सीमा साझा करने वाले देश का कोई भी बिडर इस निविदा में बिड देने के लिए तभी पात्र होगा जब वह बिड दे वाला सक्षम प्राधिकारी के पास पंजीकृत हो। बिड में भाग लेते समय बिडर को इसका अनुपालन करना होगा और कोई भी गलत घोषणा किए जाने पर इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्यवाई का आधार होगा।

**---Thank You/धन्यवाद---**