

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

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

**NOTICE INVITING TENDER (NIT)**

**FOR**

**Excavation & loading of pond ash at NTPC TSTPS Kaniha Ash Dyke, transporting pond ash by mechanical means in closed containers/dumpers (covered with tarpaulin) with an arrangement to avoid spillage/flying of ash and unloading at construction site of road projects of NHAI and other Central or State Government Road construction department / Authority / PMGSY Road Project**

**(Domestic Competitive Bidding)**

**GeM Tender Reference: GEM/2024/B/5565970**

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 "Excavation & Loading of pond ash at various NTPC Project Ash Dyke, transporting pond ash by mechanical means in closed containers/dumpers (covered with tarpaulin) with an arrangement to avoid spillage/flying of ash and unloading at construction site of road projects of NHAI and other Central or State Government Road construction department / Authority / PMGSY Road Project. Bidder to supply the pond ash across the state /or Any State within 300 km from plant.

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	<b>As per details at GeM Portal</b>
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)	<p><b>Rs. 50,00,000/- (Rupees Fifty Lakh only) – To be submitted in the form of Bank guarantee (in NTPC format) only.</b></p> <p>However, Bidders are exempted from furnishing Bid Security/EMD as per GeM GTC.</p> <p>Bidders may ascertain their eligibility for availing Bid Security / EMD exemption as per GeM GTC before submission of Bids.</p> <p>Bidders shall have to upload scanned copy of relevant valid document in place of Bid Security document for Bid Security / EMD exemption.</p>
Benefit to MSME	<p><b>Applicable.</b></p> <p><b>The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids and apply in GEM Portal accordingly without applying in GEM appropriately, MSE benefit may not be availed.</b></p>
Rate Contract Period	<b>Twelve (12) months</b>
Pre-Bid Conference Date & Time (if any)	Not Applicable
Type of Bidding	Percentage quote over Base value. For details refer “Technical specification and Scope of Work”
Reverse Auction	Not Applicable
Integrity Pact	<b>Applicable</b>
Splitting of Quantity	<b>Applicable. The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.</b>

**“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 Declaration on Integrity Pact. **Integrity Pact shall be submitted as per instruction mentioned in ITB/ BDS/ATC.**

Bid Security shall be submitted in the form of Bank Guarantee (**in NTPC format**) only in a sealed envelope separately in physical form by the stipulated bid submission closing date and time at the address given at the end of this document.

**ANY BID NOT ACCOMPANIED BY AN ACCEPTABLE BID SECURITY SHALL BE REJECTED BY THE EMPLOYER AS 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.

5) Reference work(s) 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 Ventures / consortium / Associate is clearly defined in the executed joint venture agreement / consortium agreement / deed of joint undertaking and the 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/Owner, meet the relevant provisions of eligibility criteria.

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 partners is not clearly specified in the integrated joint venture Agreement, then for establishing the eligibility as per the technical criteria, 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 mentioned in Qualifying Requirements. The executed works/ quantities by the Integrated Joint Venture shall be duly authenticated by the Project Authority/owner.

## **2.0 FINANCIAL CRITERIA:**

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)**.

**2.1** 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.

**3.0 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.

**4.0** 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.
- Further, any bidder (including bidder from India) having specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India, will be eligible to bid only if the bidder is registered with the same competent authority.
- 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

**SM/ 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.: 0771-2515402/0771-2515537  
**Email:** [ilaanand@ntpc.co.in](mailto:ilaanand@ntpc.co.in) /[amittiwari@ntpc.co.in](mailto:amittiwari@ntpc.co.in)

**Websites:** <https://gem.gov.in>, [www.ntpctender.ntpc.co.in](http://www.ntpctender.ntpc.co.in) or [www.ntpc.co.in](http://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](http://www.ntpc.co.in)

**Annexure–III of BDS**

**Format of Undertaking**

**(To be sent by Issuing Bank through official email-ID to dealing executive of NTPC before the submission deadline of Bid)**

From: [xxxbank@xx.in](mailto:xxxbank@xx.in)

To: [ILAANAND@ntpc.co.in](mailto:ILAANAND@ntpc.co.in), [amitiwari@ntpc.co.in](mailto:amitiwari@ntpc.co.in)

We have issued BG No. .... dated ..... for an amount of Rs. .... on behalf of .....[Name of Bidder] towards Bid Security / EMD for Tender No. .... in favour of ..... [Name of Employer].

Please find enclosed the soft copy of the Bank Guarantee and SFMS acknowledgement. This SFMS is sent on ..... (date).

Any demand / claim made by the 'Employer' shall be conclusive and binding on us irrespective of any dispute or difference raised by the Bidder till the validity period mentioned in the Bank Guarantee.

However, in absence of the physical copy of aforementioned BG with the Employer, we undertake that Employer's demand / claim will be binding and conclusive on us without the physical copy of aforementioned BG till fourteen (14) days from the due date of submission of Techno-Commercial bids.

We undertake not to cancel the aforementioned BG No. .... without written consent / instruction from NTPC.

(Name of Bank Official)

Authority No. ....





Bid Number/बोली क्रमांक (बिड संख्या):  
GEM/2024/B/5565970  
Dated/दिनांक : 09-11-2024

### Bid Document/ बिड दस्तावेज़

Bid Details/बिड विवरण	
Bid End Date/Time/बिड बंद होने की तारीख/समय	30-11-2024 15:00:00
Bid Opening Date/Time/बिड खुलने की तारीख/समय	30-11-2024 15:30:00
Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)	120 (Days)
Ministry/State Name/मंत्रालय/राज्य का नाम	Ministry Of Power
Department Name/विभाग का नाम	Na
Organisation Name/संगठन का नाम	Ntpc Limited
Office Name/कार्यालय का नाम	Cg
Item Category/मद केटेगरी	Handling ,Transport and Other Mining Services - Percentage quote based - Ash Transportation
Contract Period/अनुबंध अवधि	1 Year(s)
MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट	No
Startup Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से स्टार्टअप छूट	No
Document required from seller/विक्रेता से मांगे गए दस्तावेज़	Experience Criteria,Bidder Turnover,Certificate (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
Do you want to show documents uploaded by bidders to all bidders participated in bid?/	Yes
Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया	No
Type of Bid/बिड का प्रकार	Two Packet Bid
Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय	3 Days
Evaluation Method/मूल्यांकन पद्धति	Total value wise evaluation
Arbitration Clause	No

**Bid Details/बिड विवरण****Mediation Clause**

No

**EMD Detail/ईएमडी विवरण**

Advisory Bank/एडवाइजरी बैंक

ICICI

EMD Amount/ईएमडी राशि

5000000

**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).

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(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 कैटेगरी के लिए बिड के साथ वैध समर्थित दस्तावेज प्रस्तुत करने हैं। एमएसई कैटेगरी 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 :**

HOD

SM/ 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.: 0771-2515402/0771-2515537  
(Ntpc Limited)

**MII Compliance/एमआईआई अनुपालन**

MII Compliance/एमआईआई अनुपालन

Yes

**MSE Purchase Preference/एमएसई खरीद वरीयता**

MSE Purchase Preference/एमएसई खरीद वरीयता

Yes

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 as defined in the relevant policy, then 100% order quantity will be awarded to such MSE bidder subject to acceptance of L1 bid price. The buyers are advised to refer to the [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 the credentials of the service provider are validated on-line in GeM profile as well as validated and approved by the Buyer after evaluation of submitted documents.

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.

**Additional Qualification/Data Required/अतिरिक्त योग्यता /आवश्यक डेटा**

**Any Other Documents and Requirement to be mentioned by Buyer:**[1730464389.pdf](#)

**Scope of Work:**[1730528880.pdf](#)

**Terms and Conditions to be mentioned by Buyer for bidders to participate:**[1730528920.pdf](#)

**Handling ,Transport And Other Mining Services - Percentage Quote Based - Ash Transportation ( 1 )**

**Technical Specifications/तकनीकी विशिष्टियाँ**

Specification	Values
<b>Core</b>	
SOR Items	Ash Transportation
<b>Addon(s)/एडऑन</b>	

**Additional Specification Documents/अतिरिक्त विशिष्टि दस्तावेज़**

**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी**

S.No./क्र. सं.	Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी	Address/पता	Project based (to be kept as 1)	Additional Requirement/अतिरिक्त आवश्यकता
1	Chilakamarthi Kishore Kumar	759147,Talcher Super Thermal Power Station P.O. DEEPSHIKHA ANGUL 759147 ANGUL	1	<ul style="list-style-type: none"> <li>Base Value in INR (inclusive of all taxes) : 3000000000</li> </ul>

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

1. **Buyer Added Bid Specific ATC**

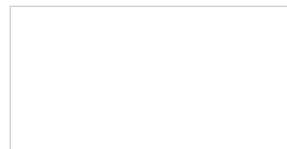
Buyer uploaded ATC document [Click here to view the file.](#)

2. **Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

# ***NTPC LIMITED***

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



## ***Additional Terms and Conditions (ATC)***

## **UNIFIED SHARED SERVICE CENTRE, CPG-1, RAIPUR**

### **CONTRACT & MATERIAL DEPTT**

**Name of Package:** “Excavation & loading of pond ash at **NTPC TSTPS Kaniha** Ash Dyke, transporting pond ash by mechanical means in closed containers/dumpers (covered with tarpaulin) with an arrangement to avoid spillage/flying of ash and unloading at construction site of road projects of NHAI and other Central or State Government Road construction department / Authority / PMGSY Road Project”

1. Additional Terms & Conditions (ATC) of this tender comprises the following documents:
  - a. Section-I: Invitation for Bids (IFB)/Tender Enquiry/Notice Inviting Tender (NIT).
  - b. Section-II: Instructions to Bidders (ITB)
  - c. Section-III: Bid Data Sheet (BDS)
  - d. Section-IV: General Conditions of Contract (GCC)
  - e. Section-V: Special Conditions of Contract (SCC)
  - f. Section-VI: Technical Specifications and Terms & Conditions
  - g. Section-VII: Schedule of Quantities (SOQ) / Bill of Quantities (BOQ) (As per GeM)
  - h. Section-VIII: Forms and Procedures (Part 1 of 3, Part 2 of 3 & Part 3 of 3)
  
2. **Qualifying Requirements:** Qualifying requirements shall be as per NIT.
  
3. **EMD:** EMD is to be submitted in the form of Bank Guarantee/ Insurance Surety Bond **in the format specified in the Bid Document only.**

**Submission of EMD BG in GeM Format shall not be accepted and such Bids shall be outrightly rejected.**

The format of the Bank Guarantee shall be in accordance with the form of Bank Guarantee towards Bid Security/EMD/Performance security included in the Employer’s Bidding Documents only (refer Section-VIII: Forms and Procedures (Part 1 of 3)). 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 (refer Section-VIII: Forms and Procedures (Part 1 of 3)). **Any bid not accompanied by an acceptable bid security in a separate sealed envelope shall be rejected by the Employer as being non-responsive.**

A copy of EMD BG is to be uploaded on GeM Portal during Bid submission. Hard copy of EMD BG shall reach to following address within before Bid opening on GeM Portal. **For further details refer to clause 14 of BDS.**

Ila Anand, Sr. Manager (C&M),  
NTPC Limited,  
CPG-1, Plot No. -87, Sector-24, Atal Nagar,  
Nava Raipur, Raipur, Chhattisgarh,

In case Hard copy of BG is not received within the stipulated time to be read along with BDS clause 14, Bid is liable to be rejected.

The BG towards EMD shall remain valid for a period of forty-five (45) days beyond the original Bid validity period or beyond any extension in the period of Bid validity subsequently requested.

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 herein below:

- (i) Bank Name: ICICI Bank Limited
- (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	7037
Particulars (to be mentioned in Row 1)	NTPCBG (unique identifier)

**EMD exemption:** Micro and Small Enterprises (MSEs) having UDYAM Registration, for goods produced and services rendered, shall be exempted from paying Earnest Money Deposit. Such registered bidders will have to submit **UDYAM Registration Certificate**, as a proof of being MSE on GeM Portal.

To avail MSE benefit in respect of EMD exemption and purchase preference, Bidder should be a manufacturer of offered product. Traders are excluded from purview of MSE benefit.

EMD exemptions as per GeM GTC shall be applicable.

4. **A complete set of tender documents as mentioned above along with QR Requirement are enclosed under “Terms and Conditions To Be Mentioned By Buyer For Bidders To Participate”.**
5. **Integrity pact (Pre-signed) along with other formats are enclosed under “Any Other Documents And Requirement To Be Mentioned By Buyer”.**
6. Terms and Conditions stipulated in ATC will supersede those in GeM GTC and STC in case of any conflicting provisions.
7. Bidders are required to submit the documents as mentioned in the check list appended below while submitting their bid and submit the dully filled check list online on GeM portal in ‘Additional ATC documents’.

Formats of the documents required to be submitted as per this check list can be referred from “Section-VII: Forms and Procedures” enclosed under “Tender Document” and **“Terms And Conditions To Be Mentioned By Buyer For Bidders To Participate”.**

8. **MSEs seeking exemption for EMD and Purchase Preference shall select appropriate option on GeM portal (separately for each i.e. EMD & purchase preference) and should enclose a attested/self-certified copy of UDYAM registration certificate, failing which they run the ri**

## 9. 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** and so on based on ‘Accepted % of base value’ as illustrated above.
- (4) The **L-2, L-3, L-4, L-5, L-6** 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:
  - i)** If L-1 ranked bidder as per (2) above is a MSE bidder, then no further MSE preference will be applicable.
  - ii)** If L-1 ranked bidder as per (2) 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:
    - 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.
    - 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 opp



ortunity 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.

#### **A. 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:

**Base Value in GeM** x ["Accepted % of base value"/ 100]

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Number of shortlisted Bidders

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

#### **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/ finalized discount: 10%*

*No. of shortlisted Bidders (who matched L-1 quoted/ finalized 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/ finalized discount: 10%*

*No. of shortlisted Bidders (who matched L-1 quoted/ finalized 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.*

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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.

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**The followings have been ensured while submitting the bid on GeM portal:**

1. The Bid Security/EMD BG has been prepared in NTPC format and GeM format is not used for the same.
2. MSE Certificate i.e. Udyam only (if applicable) has been submitted on the designated place of GeM portal.
3. Purchase preference (if applicable) has been applied separately on GeM portal at designated place.
4. Attachment-14 & Attachment-15 have been signed and uploaded on GeM portal.
5. Documents furnished to meet the requirements of Technical QR are duly verified and digitally signed by TPIA/ISA (in case of companies only).

## Bidder's Sign & Stamp

Place:

Name of Authorized person

having Power

of attorney ....

Designation.....

Common Seal.....

Mobile .....

Email .....

## 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.
15. Any ATC clause in contravention with GeM GTC Clause 4 (xiii)(h) will be invalid. In case of multiple L1 bidders against a service bid, the buyer shall place the Contract by selection of a bidder amongst the L-1 bidders through a Random Algorithm executed by GeM system.

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/सामान्य नियम और शर्तें](#), 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/सामान्य नियम और शर्तें 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./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 के 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 देने 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 व इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्रवाई का आधार होगा।

**---Thank You/धन्यवाद---**