

NTPC LIMITED
(A *Government of India Enterprise*)



UNIFIED SHARED SERVICE CENTRE, CPG-1, RAIPUR

**BIDDING DOCUMENTS
(COVER PAGE)**

(This document is meant for the exclusive purpose of bidding against this Bid Document No. / Specification and shall not be transferred, reproduced or otherwise used for purposes other than that for which it is specifically issued).

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(Bid Form along with Attachments)
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Acronyms

BDS	Bid Data Sheet
CIF	Cost, Insurance and Freight
CIP	Carriage and Insurance paid to (place)
CPM	Critical Path Method
EDI	Electronic Data Interchange
EXW	Ex factory, ex works or ex warehouse
FCA	Free Carrier
FOB	Free on Board
FOR	Free on Rail / Road
FP	Forms & Procedures
GCC	General Conditions of Contract
ICC	International Chamber of Commerce
IFB/NIT	Invitation for Bids / Notice Inviting Tender
ITB	Instructions to Bidders
SCC	Special Conditions of Contract
TS	Technical Specifications and Drawings
UNCITRAL	United Nations Commission on International Trade Law
INCOTERMS	International Rules for Interpreting Trade Terms
GST	Goods and Services Tax
Note :	The terms EXW, CIF, etc. shall be governed by the rules prescribed in the current edition of INCOTERMS, published by the International Chamber of Commerce, 38, Cours Albert Ler, 750008, Paris, France.

SECTION – I

INVITATION FOR BIDS (IFB)/ NOTICE INVITING TENDER (NIT)

NTPC LIMITED
 (A GOVERNMENT OF INDIA ENTERPRISE)
UNIFIED SHARED SERVICE CENTRE, GROUP-1, RAIPUR
CONTRACT & MATERIAL DEPTT
NOTICE INVITING TENDER (NIT)
SECTION-I
(Domestic Competitive Bidding)

NIT no.	9900318049
Name of work	Supply, Installation, Testing and Commissioning (SITC) of integrated automated Auger System at NTPC Barh

1. 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- for **NTPC Barh** as per the scope of work briefly mentioned hereinafter. NTPC intends to finance subject Package through Domestic Commercial Borrowings/Own sources.
2. **Brief Scope of Work:** “Supply, Installation, Testing and Commissioning (SITC) of integrated automated Auger System at NTPC Barh”
3. Detailed Specification, Scope of Work and Terms and Conditions are given in the bidding document, which are available for examination and sale at our e Procurement Portal (<https://eprocurentpc.nic.in/nicgep/app>) and as per the following details & schedule:

NIT	Date/ Commencement Date & Time	Document Download	As per GePNIC portal
Source of IFB/NIT			Central Procurement Group-1, Raipur
Last date for receipt of queries from bidders (if any)			As per GePNIC portal
Last Date & Time for Bid Submission			As per GePNIC portal
Technical Bid Opening Date & Time			As per GePNIC portal
Price Bid Opening Date & Time			Shall be intimated separately.
Cost of Bidding Documents (Tender fee)			Not Applicable
Bid Security/EMD Exemption NOT ALLOWED			Rs. 5,00,000/-
Benefit to MSME			This is a WORKS CONTRACT. MSME BENEFITS SHALL NOT BE APPLICABLE FOR THE PACKAGE.
Contract Period			18 Month
Pre-Bid Conference Date & Time (if any)			Not Applicable
Reverse Auction			Not Applicable
Integrity pact			Not Applicable

“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 above.”

As per provisions of Bidding Documents, the Bidders shall submit “Techno-Commercial Proposal” and “Price Proposal” online (<https://eprocurencpc.nic.in/nicgep/app>), within the bid submission date and time as mentioned above. Only Techno-Commercial proposals will be opened on the date and time mentioned above or corrigendum/s (if any) thereof.

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

4. All bids must be accompanied by **Bid Security Deposit / EMD** in the form as stipulated in the Bidding documents in Clause 10 of Bid Data Sheet (BDS)- Sec III

Additional option for submission of BG directly from the banker is also provided- REFER BDS- SECTION III Clause no 7.0 A, for further details.

Online facility of submitting the tender fee and bid security is enabled. Payment of tender fee is to be done only through online facility on GePNIC portal.

Bid Security/EMD up to Rs. 1,00,000.00 (Rupees one Lac only) must be paid online through Gepnic portal ONLY.

The Bank Guarantees against bid security are to be submitted in the form of e-BG through NeSL platform.

In case the bidder is not able to submit e-BG, due to some practical difficulties or constraints, physical BGs are also accepted. The physical BG/ Insurance Surety bond as bid security, if opted for, should be submitted in a separate sealed envelope so as to reach address for correspondence (Clause-16 hereunder) before the bid submission deadline in physical form and scanned copy of BG/ Insurance Surety must be uploaded in the FEE folder in the tendering portal.

EMD and Tender fee are not exempted in this tender being a works contract. Bidders are advised NOT to upload MSE/other document for availing exemption. Bids without adequate Bid Security and Tender fee, as per tender provisions, shall be outrightly rejected.

5. **Qualifying Requirements for Bidders:**

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

5.1 Technical Criteria

5.1.1 Route-I :-

Bidder should have Designed, ‘Manufactured/ got Manufactured’, ‘Supplied/ Supplied (on rental/ Supply and operate basis)’, ‘Erected/ Supervised Erection’ and ‘Commissioned/ Supervised Commissioning’ of atleast one (1) no. Coal Auger Sampler/ Machine/ package/ system with coal preparation size of 12.5mm or lower, which should be in successful operation for a period not less than One(1) year as on the date of Techno Commercial Bid opening.

5.1.2 Route-II :-

i) Bidder should have ‘Supplied/ Supplied (on rental/built and operate basis)’, ‘Erected/ Supervised Erection’ and ‘Commissioned/ Supervised Commissioning’ of atleast one no. Auger Coal Sampler/Machine which should be in successful operation for a period of not less than one(1) year as on the date of techno-commercial bid opening.

ii) The Bidder should have valid Technical collaboration agreement / Technology Transfer agreement including license to manufacture and supply of Coal Auger Sampler/Machine

with a Coal Auger Sampler/ Machine/ package/ system manufacturer meeting requirements of clause 5.1.1.

In such case, the Bidder shall furnish a deed of joint undertaking (DJU) executed by them and the Auger Package/system/machine/sampler manufacturer meeting requirements of clause 5.1.1, in which the executants of DJU shall be jointly and severally liable to the Employer for successful performance of contract as per format enclosed in bidding documents. The deed of joint undertaking shall be submitted along with technocommercial bid, failing which the Bidder shall be disqualified, and his bid shall be rejected.

In case of award, the Auger Package/ system/ machine/ sampler manufacturer meeting requirements of clause 5.1.1, will be required to furnish an on-demand bank guarantee for an amount of 1% of the total contract price of the Auger Package in addition to the contract performance security to be furnished by the Bidder.

5.1.3 Route-III:-

A Holding Company, singularly or collectively along with its Subsidiaries (held either directly or indirectly), meeting the requirements of clause 5.1.1 above, shall also be considered Qualified. However, in such a case the Holding Company shall maintain a minimum equity of 51% in the Subsidiary Company for a lock in period of 7 years from the date of incorporation of such Subsidiary Company or up to the end of defect liability period of the contract whichever is later.

(i) In such a case, the Holding Company and all such subsidiaries lending strength / experience to the Holding Company shall necessarily be part of the DJU being submitted by the Bidder for successful performance of the contract as per format enclosed in bidding documents.

(ii) In case of award, if the Holding Company itself is not the Bidder, the Holding Company and all such entities lending strength /experience to the Holding Company shall each be required to furnish separate on demand bank guarantees for an amount aggregating 1.0% of the total contract price of the Auger system Package divided equally among them, in addition to the contract performance security to be furnished by the Bidder.

However, in case the Holding Company itself is the Bidder, Bidder shall submit its board resolution stating that in case of any likely change of management control of any of these subsidiaries, the bidder shall arrange for separate, on demand Bank guarantees from all such entities lending strength /experience to the Holding Company for fulfilment of the requirement of clause 5.1.1 for an amount aggregating 1.0% of the total contract price of the Auger System Vendor divided equally among them before the change in management control actually occurs.

As an alternative to the requirements of Note 5.1.3 (ii) above, the Holding Company, shall necessarily be part of the DJU to be submitted by the Bidder for successful performance of the contract as per format enclosed in bidding documents. However, the Bidder shall submit a board resolution of the Holding Company stating that in case of any likely change of management control of any of these subsidiaries, the Holding Company shall arrange for signing of DJU by all such subsidiaries lending strength / experience to the Holding Company for fulfilment of requirement of clause 5.1.1, in line with the requirements of Note 5.1.3(ii) above before the change in management control actually occurs.

Notes for Technical Criteria:

1. 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.
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. In case, bidder has executed reference work under two orders, one for supply and one for services separately for the same installation, combined value of both the orders shall be considered as a single order for the purpose of evaluation.

5.2 Financial Criteria:

5.2.1 The Average Annual Turnover of the Bidder, shall not be less than **Rs. 281 Lakh (Rupees Two crore Eighty-one Lakh Only)** during the preceding three (3) completed financial years as on the date of Techno-Commercial bid opening.

5.2.2 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.

5.2.3 The Net Worth of the bidder shall not be less than 100% of the bidder's paid up share capital as on the last day of the preceding financial year. In case the Bidder meets the requirement of Net Worth based on the strength of its Subsidiary(ies) and/or Holding Company and/or Subsidiaries of its holding companies wherever applicable, the Net Worth of the Bidder and its Subsidiary(ies) and/or Holding Company and/or Subsidiary(ies) of the Holding Company, 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% of their respective paid-up share capitals and Y1, Y2, Y3 are individual paidup share capitals.

5.2.4 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.

5.2.5 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 5.2 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.

6. 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. The physical assessment shall include but not be limited to the assessment of office/facilities/banker's/reference workers by Employer. A negative determination of such assessment of capacity and capabilities may result in rejection of the bid.
7. 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.
8. 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.

9. The bid document consists of the followings:

Section	Name of Document
I	Invitation for Bids (IFB)/ Notice Inviting Tender (NIT)
II	Instructions to Bidders (ITB)
III	Bid Data Sheet (BDS)
IV	General Conditions of Contract (GCC)
V	Special Conditions of Contract (SCC)
VI	Technical Specifications/Scope of Work, Drawings and Quality Plans
VII	Forms and Procedures (FP)

Part 1 of 2- Bid Form along with Attachments and Price Schedules

Part 2 of 2- Standard Forms & Procedures

10. The bidding document is available online. A complete set of Bidding Documents may be downloaded by any interested Bidder from the NTPC tender website <https://eprocurentpc.nic.in>. No Hard Copy of bidding documents shall be issued.
11. Downloading/Issuance of Bidding Documents and /or submission of Bid shall not construe that

bidder is considered qualified.

12. Transfer of Bidding Documents purchased by one intending Bidder to another is not permissible.
13. The bid specific data for the package mentioned Bid Data Sheet (Section III- BDS) shall amend and/or supplement the provisions in the Instructions to Bidders (Section II- ITB). Wherever there is a conflict, the provisions BDS shall prevail over those in the ITB.

Special Conditions of Contract (SCC), Section-V, shall supplement/ amend the General Conditions of Contract (GCC) Section-IV of Standard Bidding Document, wherever there is a conflict, the provisions in SCC shall prevail over those in the GCC of Standard Bidding Document.

14. NTPC reserves the right to amend any bid/tender conditions through appropriate **corrigendum/amendments** published in the portal **at any time**. NTPC also reserves the right to extend/change the bidding schedule through publishing necessary **corrigendum/amendments** in the portal if the situation demands so **at any time**. The corrigendum as decided by NTPC and deemed fit would be published in the portal as per provisions therein. This will prevail over the relevant provisions elsewhere in the bid document. The corrigendum/amendment as published/posted in the portal will be binding on Bidders and it will be assumed that the information contained therein will have been taken into account by the Bidder in its bid. Bidders are advised to regularly check the tender regarding posting of Amendments/Corrigendum, if any.
15. **UDIN:** 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). It is mandatory to mention UDIN (Unique Document Identification Number) by the bidders while submitting audited financial statements, other CA certificates etc. w.e.f. date as mentioned in ICAI gazette notification dt. 02.08.2019.
16. The Bidder would be required to register on the website. First time users are required to register themselves on NTPC tender website (<https://eprocurentpc.nic.in>) after filling up the required details. Note that 1st time bidders can participate in NTPC Open Tenders without having NTPC's Vendor Code.

However, users whose email address has not been linked to a vendor code allotted by NTPC/ first time users not having been 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:

- a) Request on the letter head of the Company
- b) Address Proof
- c) Copy of GST Registration Certificate & PAN Card,
- d) Email ID and Contact No.
- e) Name and Designation of the contact person
- f) Cancelled cheque & E.F.T form duly verified by bank

Vendor Code shall only be issued to the 1st time bidder during evaluation, who becomes L1.

17. All references to the “**Policy for Withholding & Banning of Business Dealings**” appearing anywhere in the Standard Bidding Documents shall be replaced with “**Policy for Debarment from Business Dealings**”, which is available at www.ntpctender.ntpc.co.in and www.ntpc.co.in.
18. 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.
19. It is hereby certified that all the guidelines circulated by NTPC in pursuance of Public Procurement

(Preference to Make in India) 'PPP-MII' Orders issued by DPIIT / MoP have been complied with for the subject tender.

20. Address for Communication

1. Sh. A K Shihhare,
DGM (C&M/CS)

2. Sh. Amit Kumar Singh
AGM (C&M/CS)

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