NTPC LIMITED

(A Government of India Enterprise)

UNIFIED SHARED SERVICE CENTRE, C&M, GROUP-1, RAIPUR

BIDDING DOCUMENTS
(COVER PAGE)

CONTENTS

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, C&M, GROUP-1, RAIPUR

NOTICE INVITING TENDER (NIT)

SECTION-I

(Domestic Competitive Bidding)

NIT no.	**9900332385**
Name of work	**Augmentation of DFA Transportation System at NTPC Korba (Stage 2)**

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 Korba** 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:** "Augmentation of DFA Transportation System at NTPC Korba (Stage 2)"

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/ Document Download Commencement Date & Time	**As per GePNIC portal**
Source of IFB/NIT	USSC, 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	**Rs. 2,00,00,000/-** (Exemption NOT ALLOWED)
Benefit to MSME	**This is a WORKS CONTRACT. MSME BENEFITS SHALL NOT BE APPLICABLE FOR THE PACKAGE.**
Contract Period	**24 Month**
Pre-Bid Conference Date & Time (if any)	Not Applicable
Reverse Auction	**Not Applicable**
Integrity pact	**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://eprocurentpc.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://eprocurentpc.nic.in

4. Bidder has to ensure the following documents to be submitted, pursuant to ITB Clause 15, failing which bid is liable for rejection

a) Tender Fee: Not Applicable

b) Earnest Money Deposit/Bid Security: The Bidder shall furnish, as a part of his Bid an Earnest Money Deposit / Bid Security

c) Integrity Pact: Applicable

Payment of EMD is not exempted in this tender.

Any bid not accompanied by an acceptable bid security shall be rejected by the employer as being non-responsive. In case, the bid security is submitted as e-BG/EFT, bidder to submit the copy of e-BG/proof of e-payment of bid security in the e-tendering portal. In case the bid security (other than BG) is submitted by the bidder in physical form, bidder to submit the original instrument (or extensions, if any) in separate sealed envelope and a copy of the same in the e-tendering portal.

Further, Stage-II (Price Bid) (in case of Two Stage bidding) not accompanied by requisite bid security extension (in case Bid Security is submitted in the form of e-BG/ Insurance Surety Bond) shall be rejected by the Employer as being nonresponsive.

All Bank Guarantees shall be submitted in the form of e-BG through NESL platform and no physical BGs shall be accepted, except in exceptional circumstances. The decision of NTPC in this regard shall be final.

In case, the bid Security is deposited by the bidder in the form of E-BG / through electronic fund transfer (EFT), Bidder to submit the copy of E-BG / proof of e-payment of bid security in the e-tendering portal.

In case the bid security (other than BG) is deposited by the bidder in physical form, bidder to submit the original instrument in separate sealed envelope and a copy of the same in the e-tendering portal and also ensure that original physical copy of the Bid Security reaches at the address mentioned before the submission deadline as per tender provisions.

Bid security amount up to Rs.1,00,000/- (Rupees One Lakh only) must be submitted through Electronic Fund Transfer (EFT) only. Electronic Fund Transfer (EFT) will be made at GePNIC Portal (https://eprocurentpc.nic.in/nicgep/app) only.

All bids must be accompanied by Bid Security in the form as stipulated in the Bidding documents. For details, please refer to Clause 14 & 15 of Section-III, Bid Data Sheets (BDS).

The format of the Bid security shall be in accordance with the format available in the Bidding Documents only.

Bid security submitted in any other format including GEM Standard Format shall be rejected for which NTPC shall not be responsible.

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**

The Bidder should have Designed, Supplied, Erected/got Erected, Commissioned/got Commissioned 'Dry Fly Ash Handling System for a Coal fired Boiler Unit of a Thermal Power Plant', which should have been in successful operation for at least one (1) year prior to the date of Techno- Commercial Bid opening ((Original scheduled date of bid opening).

5.2 **Financial Criteria:**

5.2.1 The average annual turnover (AATO) of the Bidder on standalone basis, in the preceding three (3) financial years as on the date of Techno-commercial bid opening should not be less than **Rs 63 Crore (Indian Rupees Sixty-three Crore only)** or in equivalent foreign currency..

5.2.2 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 the Holding company's 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.

5.2.3 (a) Net worth of the bidder should not be less than 25% (Twenty five percent) of the Bidder's paid-up share capital as on the last day of the preceding Financial Year reckoned from the date of Techno-commercial bid opening.

And

(b) Net Worth of the bidder should not have eroded by more than 30% in last three Financial Years. However, Clause (b) is not applicable if Net Worth is equal to or more than 100% of Paid-up Share capital. 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 Company, 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 Company, in combined manner, should not be less than 100% of the paid-up share capital. However, the individual Net Worth of the bidder should be Positive and for others, the Net Worth should be at least 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)] X 100

Where X1, X2, X3 are individual Net worths and Y1, Y2, Y3 are individual paid-up 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 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 its Holding Company.

(ii) A Certificate from the CEO/CFO of the Holding Company, as per the format enclosed in the bid documents, stating that the unaudited unconsolidated financial statements form part of the Consolidated Annual Financial Statements of the company.

5.2.5 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 from the practicing Chartered Accountant certifying the financial parameters is not available.

5.2.6 Financial Criteria for the Joint Venture/Consortium: NA

5.2.7 Financial Criteria for the Collaborator/ Associate: NA

Notes for Clause 5.2 above:

(i) a) In case of a Company, "Net Worth" means the sum total of the paid-up share capital and free reserves. "Free reserves" 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.

b) In case of sole proprietorship/partnership," Net Worth" means the aggregate of the balances in the Capital Account and the Current Account, where the Current Account is maintained to record regular transactions such as drawings, share of profit, interest on positive.

(ii) Annual turnover shall mean Revenue from Operations of standalone Financial Statements of the Bidder and other income shall not be considered for arriving at annual turnover. While working out annual turnover of a bidder for the purpose of QR during bid evaluation, Taxes & Duties separately indicated (if any), in the Profit & Loss account shall not be considered.

(iii) For annual Turnover indicated in foreign currency, exchange rate as on seven (7) days prior to the Techno-Commercial bid opening shall be used.

(iv) "Holding Company" and "Subsidiary Company" shall have the meaning ascribed to them as per Companies Act 2013, as amended from time to time.

(v) If a bidder is not required to get its accounts audited under section 44AB of the Income Tax Act, 1961, the financial statements duly certified by a practicing Chartered Accountant shall be considered acceptable along with a certificate from chartered Accountant that bidder is not liable for audit under section 44AB.

(vi) In case a bidder meets the technical QR but could not furnish his / their audited financial statement of last three financial years for evaluating the average Annual turnover, due to the incorporation / formation of the bidder, within a period of less than 3 years from the original scheduled date of tender opening, then, such bidder shall also be considered and the Average annual turnover of such bidder shall be arrived at as below:

a. If such bidder furnishes audited financial statements for the last financial year only, then such bidder's average Annual turnover shall be arrived at by dividing the Turnover of the last financial year by 1.5.
b. If such bidder furnishes audited financial statements for the last two financial years only, then the bidder's average Annual turnover shall be arrived at by dividing the sum of Turnover of last two financial years by 2.5.

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 Shivhare,
DGM (C&M/CS)

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

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