

**NHPC LTD.**  
**(A Govt. of India Enterprise)**



**TENDER DOCUMENT FOR**

**Supply of one (1) Set of By-pass Valve for MIV for Teesta- V Power Station**

**Tender Specification No. NH/TSV/Proc/ NIT-PHMM011/11/2024/2210 dated 11.01.2024**

.

**Tender ID: 2024\_NHPC\_789868 \_1**

**NHPC Limited, Teesta-V Power Station, Balutar, PO-Singtam, East Sikkim, Pin: 737 134**

## **SECTION-0**

### **NOTICE INVITING TENDER (NIT)**



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NHPC LIMITED  
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(A Govt. of India Enterprise)  
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Teesta V Power Station  
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Singtam, East Sikkim - 737134

IS/ISO 9001 IS/ISO 14001 IS 18001  
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IMS certified Power Station  
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Email: [pnc-teesta5@nhpc.nic.in](mailto:pnc-teesta5@nhpc.nic.in)  
CIN- L40101HR1975GOI032564

NIT No.: NH/TSV/Proc/NIT-PHMM011/11/2024/2210

Dated: 11.01.2024

**SECTION-0: NOTICE INVITING E-TENDER (NIT)**

**(Global Single Bidding)**

Teesta-V Power Station, NHPC Limited invites single stage **Online Electronic Bids (E-Tender Technical Cum Price Bid)** from **M/s Toshiba India Pvt. Ltd.**, for

**“Supply of one (1) Set of By-pass Valve for MIV for Teesta- V Power Station”.**

Tender document can be viewed and downloaded from NHPC Limited website [www.nhpcindia.com](http://www.nhpcindia.com) and Central Public Procurement Portal (CPPP) at <https://eprocure.gov.in/eprocure/app>.

The bid is to be submitted online only on <https://eprocure.gov.in/eprocure/app> up to last date and time of submission of bids. Sale of hard copy of tender document is not applicable.

**1.0 Brief Details & Critical Dates of Tender:**

**1.1 Brief Details of Tender:**

S.No.	Item	Description
(i)	Name of work	<b>Supply of one (1) Set of By-pass Valve for MIV for Teesta- V Power Station.</b>
(ii)	Tender Specification No.	<b>NH/TSV/Proc/NIT-PHMM011/11/2024/2210 dated 11.01.2024</b>
(iii)	Mode of tendering	<b>e-procurement system (Single Tender)</b>
(iv)	Tender ID	<b>2024_NHPC_789868_1</b>
(v)	Completion Period / Schedule	<b>As Specified in GCC Clause 9</b>
(vi)	Required validity of Bid	<b>120 days from the last date of online submission of Bid.</b>
(vii)	Independent External Monitor	<b>Dr. Vinod Aggrawal and Sh Prabhash Singh</b>
(viii)	Tender Inviting Authority	<b>DGM (E), Procurement Division, Teesta -V Power Station, NHPC Ltd., Balutar, PO-Singtam, East Sikkim, Pin: 737 134 Telefax # 03592-247349 E-mail: <a href="mailto:pnc-teesta5@nhpc.nic.in">pnc-teesta5@nhpc.nic.in</a></b>

## 1.2 Critical Dates of Tender:

S. No.	Particulars	Date & Time
(i)	Publish date and time	11.01.2024, 15:00 Hrs
(ii)	Sale / Document Download Start Date & Time	11.01.2024, 15:30 Hrs
(iii)	Sale / Document Download End Date & Time	27.01.2024, 17:00 Hrs
(iv)	Online Bid Submission Start Date & Time	11.01.2024, 16:00 Hrs
(v)	Online Bid Submission End Date & Time	27.01.2024, 17:30 Hrs
(vi)	Date & time of opening of Techno-Commercial Bid and Price Bid	30.01.2024, 16:00 Hrs

## 2.0 Eligibility Criteria for Bidder:

2.1 The Bidder should not have been banned / de-listed / black listed / debarred from business or declared ineligible on the grounds mentioned in para 6 of Guidelines on Banning of Business Dealings (Annexure-A) to Integrity Pact, ITB Clause 8.0. Self-declaration in this regard is to be submitted as per enclosed Annexure-III.

2.2 The bidders must fulfill the following minimum Qualifying Criteria: -

2.2.1 The directives under Public Procurement (Preference to Make in India) Order, 2017 include following Bidder must submit undertaking as per **Annexure-VIII** in this regards :

### A) **Definitions**

**Local content:** means the amount of value added in India which shall, unless otherwise prescribed by the Nodal Ministry, be the total value of the item procured (excluding net domestic indirect taxes) minus the value of imported content in the item (including all customs duties) as a proportion of the total value, in percent.

**Class-I local supplier:** means a supplier or service provider, whose Goods/Services/Works offered for procurement, meets the minimum local content as prescribed for “Class-I local supplier” under this order.

**Class-II local supplier:** means a supplier or service provider, whose Goods/Services/Works offered for procurement, meets the minimum local content as prescribed for “Class-II local supplier” but less than that prescribed for “Class-I local supplier” under this order.

**Non-local supplier:** means a supplier or service provider, whose Goods/Services/ Works offered for procurement has local

content less than that prescribed for “Class-II local supplier” under this order.

**Minimum local content:** Nodal ministry/department may prescribe only a higher percentage of minimum local content requirement to categorize a supplier as Class-I local supplier /Class-II local supplier / Non local supplier. For the items, for which Nodal ministry/department has not prescribed higher minimum local content notification under the order, it shall be 50% and 20% for Class-I local supplier/Class-II local supplier respectively.

**Margin of purchase preference: means** the maximum extent to which the price quoted by a “Class-I local supplier” may be above the L-1 for availing purchase preference. The margin of purchase preference shall be 20%.

**Works:** means all works as per Rule130 of GFR-2017, and shall also Include Turnkey works, Engineering, & Construction (EPC) Contracts and Services include System Integrator (SI) contracts.

**B) Eligibility Criteria for Class I/II and Non Local Suppliers**

- a) For procurement of Goods/Services/Works, irrespective of purchase value where there is sufficient local capacity and local competition, only Class-I local supplier shall be eligible to bid.
- b) For procurement of Goods/Services/Works, not covered under a) above and having estimated value less than INR 200.00 Crore, Global tender enquiry shall not to be issued except with the approval of Competent Authority as designated by Department of Expenditure. Only Class-I and Class-II local suppliers shall be eligible to bid in procurements, except Global tender enquiry has been issued. **Being the proprietary purchase, Global tender enquiries has been issued as per Office Memorandum Govt of India Ministry of Finance No. F.41112021-PPD dated 3<sup>rd</sup> Aug 2021 Sl no 4.3, wherein Non-local suppliers shall also be eligible to bid along with Class-I and Class-II local suppliers. Being the proprietary purchases % age of local content shall not be mandatorily in Global Tender Enquiry**

The above criteria shall be subject to compliance of following:

- i) The bidder shall have to be an entity registered in India in

accordance with law. Indian subsidiaries of foreign bidders are eligible to participate in the bidding process provided they meet the qualifying criteria in terms of capability, competency, financial position, past performance etc. Further, Foreign bidders shall compulsorily set up their manufacturing units on a long term basis in India.

- ii) Foreign bidders can also participate in the bidding process provided they form Joint Venture with any bidder registered in India in accordance with law.
- iii) Country of origin of the equipment/material shall be provided in the bid.
- iv) The bids shall be in Indian National Rupees (INR) only in respect of local content.
- v) The bidder shall follow Indian laws, regulations and standards.
- vi) For supply of equipment/material from the country of origin other than India, the bidder shall submit performance certificate in support of satisfactory operation in India or a country other than the country of origin having climatic and operational conditions including ambient temperature similar to that of India for minimum one year.
- vii) The manufacturer/supplier shall list out the products and components producing Toxic E-waste and other waste. It shall have an Extended Producers Responsibility (EPR) so that after the completion of the life cycle, the materials are safely recycled/disposed of by the Manufacturer/Supplier and for this, the Manufacturer/Supplier along with procurer has to establish recycling /disposal unit or as may be specified.
- viii) The bidder shall have to furnish a certificate regarding cyber security/safety of the equipment / process to be supplied/services to be rendered as safe to connect as applicable (If applicable)
- ix) Wherever required, the Foreign supplier shall establish fully functional service centers in India and shall keep spares/material locally for future needs of Utilities.
- x) Arbitration proceedings shall be instituted in India only and all disputes shall be settled as per applicable Indian Laws.

**C) Procedure for Purchase Preference**



- (a) Subject to the provisions of this Order and to any specific instructions issued by the Nodal Ministry or in pursuance of this Order, purchase preference shall be given to "Class-I local supplier" only in procurement undertaken by procuring entities in the manner specified hereunder.
- (b) In the case of procurement of **goods / works**, covered under para B(b) and **divisible in nature**, the 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per following procedure:
- i) Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract for full quantity will be awarded to L1.
  - ii) If L1 bid is not a 'Class-I local supplier', 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the 'Class-I local supplier' will be invited to match the L1 price for the remaining 50% quantity subject to the Class-I local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such 'Class-I local supplier' subject to matching the L1 price. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price or accepts less than the offered quantity, the next higher 'Class-I local supplier' within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and soon, and contract shall be awarded accordingly. In case some quantity is still left uncovered by Class-I local suppliers, then such balance quantity shall be ordered to the L1 bidder.
- (c) For procurement of **goods/works**, which are covered by para B (b) and **not divisible in nature**, and in **procurement of services where the bid is evaluated on price alone**, the 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per following procedure:
- i) Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract will be awarded to L1.
  - ii) If L1 is not 'Class-I local supplier', the lowest bidder

among the 'Class-I local supplier', will be invited to match the L1 price subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.

iii) In case such lowest eligible 'Class-I local supplier' fails to match the L1 price, the 'Class-I local supplier' with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly. In case none of the 'Class-I local supplier' within the margin of purchase preference matches the L1 price, the contract may be awarded to the L1 bidder.

(d) "Class-II local supplier" and "Non-local supplier" will not get purchase preference in any procurement, undertaken by procuring entities.

**D) Verification of local content**

- a) The 'Class-I local supplier'/'Class-II local supplier' at the time of tender, bidding or solicitation shall be required to indicate percentage of local content and provide self-certification that the item offered meets the local content requirement for 'Class-I local supplier'/'Class-II local supplier', as the case may be. They shall also give details of the location(s) at which the local value addition is made.
- b) In cases of procurement for a value in excess of INR 10.00 Crores, the 'Class-I local supplier'/'Class-II local supplier' shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.
- c) False declarations will be in breach of the Code of Integrity under Rule 175 (1)(i)(h) of the General Financial Rules for which a bidder or its successors can be debarred for up to two years as per Rule 151(iii) of the General Financial Rules along with such other actions as may be permissible under law. A supplier who has been debarred by any procuring entity for violation of this Order shall not be eligible for preference under this Order for procurement by any other



procuring entity for the duration of the debarment. The debarment for such other procuring entities shall take effect prospectively from the date on which it comes to the notice of other procurement entities.

d) Being the proprietary purchases %age of local content shall not be mandatorily in Global Tender Enquiry.

2.3 To improve transparency and fairness in tendering process and/or during execution of work undertaken, the Employer is implementing Integrity Pact as per Clause No. 8.0 of the ITB. The bidder must submit the Integrity Pact as per Proforma (Annexure-II) duly signed as per Clause 8.0 of ITB.

Pre-contract Integrity Pact is to be executed on plain paper with NHPC Ltd. at the time of submission of Bids. The successful bidder (Contractor) shall submit duly executed Integrity Pact on Non-Judicial Stamp Paper of appropriate value prior to issue of Supply Order.

To oversee the compliance under the Integrity pact, **Dr. Vinod Aggarwal, IAS (Retd.) & Sh Prabhash Singh** have been appointed as Independent External Monitor (IEM) by the Purchaser. The Contact Address of IEM is as under:-

<b>Dr. Vinod Aggrawal,</b> B-103, Sarvodaya Enclave, 2 <sup>nd</sup> Floor, New Delhi - 110017 E-mail : arsv50@gmail.com	<b>Sh Prabhash Singh</b> E7 M702, Housing Board Colony Arera Colony, Bhopal Madhya Pradesh - 462016 E-mail : srgmhrbpl@gmail.com
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3.0 The details/ information regarding online tendering i.e. Registration on CPP portal, Preparation of Bid and Submission of bid are available in the tender document and as well as on CPP Portal under "Bidders Manual Kit".

4.0 NHPC reserves the right to reject any or all tenders and shall not be bound to assign any reason for such rejection.

**For & On behalf of NHPC Ltd.**

**DGM (E)  
Procurement Division,  
Teesta -V Power Station**