



SECTION-I

NOTICE INVITING E-TENDERS

**NHPC LIMITED**

(A GOVT. OF INDIA ENTERPRISE)

Regd. Office: NHPC Office Complex, Sector-33, Faridabad-121003 (Haryana)

(OPEN TENDER ENQUIRY)

Domestic Competitive Bidding(E-Tendering-Web Notice)

Tender Reference No.: NH/SHEP/PNC/2024/PR14324/15**Dated: 13-06-2024**

1. Online “**Item Rate**” bids are invited through **Domestic Competitive Bidding in Single Stage - Two Part Bidding** Basis {i.e. Part-I (Cover-I): Technical- Bid and Part-II (Cover-II): Financial Bid} for and on behalf of Sawalkote HE Project, NHPC Ltd. (A Govt. of India Enterprise) from eligible **Sole Bidders** for the work of “**Construction of retaining structures for development of third bench of Office cum Residential complex of Sawalkote HE Project, Tanger**”.

A. Brief details of the tender:		
Sl. No.	Item	Description
i)	Mode of tendering	e-Procurement System Cover-I: Online Techno-Commercial Bid Cover-II: Price Bid
ii)	Tender ID No.	2024_NHPC_811242_1
iii)	Tender reference No.	NH/SHEP/PNC/2024/PR14324/15
iv)	Cost of bid document	₹590/- (Rupees Five Hundred and Ninety Only) in the form of Demand Draft favouring “NHPC Limited” payable at Jammu (J & K).
v)	Bid Security (EMD)	Rs. 86,000/- (Rupees Eighty Six Thousand Only) in the form of Demand Draft in favour of “NHPC Limited” payable at Jammu (J & K) or as per Clause 13.1 of Section II: Instructions to Bidders (ITB).
vi)	Period of Bid Validity	120 days (Reckoned from the last date of submission of online bid)
vii)	Estimated Cost	₹42,97,018/- (Rupees Forty Two Lakh Ninety Seven Thousand and Eighteen Only) including GST.
viii)	Completion Period	02 (Two) Months
ix)	Tender inviting Authority	Group Senior Manager(P&C) Sawalkote H.E. Project (1856 MW), Tanger, Distt. - Ramban (J&K)- 182144, Phone # 9816502609 Email: pnc-sawalkote@nhpc.nic.in

B. Critical dates of tender:			
x)	Publishing Date & Time	14.06.2024 (18:00 Hrs.)	
xi)	Document Download Start Date & Time	14.06.2024 (18:00 Hrs.)	
xii)	Pre bid meeting Date & Time	Not Applicable	
xiii)	Last date of Receipt of clarification of Bid	-----	
xiv)	Bid Submission Start Date & Time	14.06.2024 (18:00 Hrs.)	
xv)	Online Bid Submission Closing Date & Time	05.07.2024 (18:00 Hrs.)	
xvi)	Offline submission closing (address, date & time)	(1) Address: O/o Group Senior Manager (P&C) Sawalkote H.E. Project (1856 MW), Tanger, Distt. - Ramban (J&K), Pin-182144	(2) Address: Coordinator (Offline Bids), NHPC Regional Office-Jammu, JDA Commercial Complex, Narwal, Jammu, (J&K), Pin-180006
		Date & time: 08.07.2024 (16:30Hrs)	
xvii)	Online Bid Opening of Technical Bid (Cover-I)	Venue: Office of the Group Senior Manager (P&C), Sawalkote H.E. Project, Tanger, Distt. -Ramban (J&K)-182144 Date & time: 10.07.2024 (15:00 Hrs)	
xviii)	Price bid Opening (Cover-II)	Venue, Date & time to be intimated later to the bidders whose Techno-commercial Bids will be found responsive	
ix)	Date & Time of Start of e-Reverse Auction (if applicable)	Not Applicable	

1.1 Complete Bid Document /Tender Document can be viewed and down loaded from Central Public Procurement (CPP) Portal <https://eprocure.gov.in/eprocure/app>. The site can also be viewed through e-procurement corner of NHPC website www.nhpcindia.com and CPP Portal. Any Bidder who wishes to quote for this Tender can download the Tender Document from aforesaid portal after online Bidder registration for e-tendering.

2. Eligible Bidders

2.1 This Invitation for Bid is open to:

- The bidders who are incorporated legal entity and are legally and financially autonomous and operate under commercial law of their respective jurisdiction.
- All bidders meeting the Qualification criteria as defined in clause 3.

- c) Bidder shall be Class-I Local Supplier under Public Procurement (Preference to Make in India), Order-2017 issued by the Department of Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry vide No. P- 45021/2/2017-PP (BE-II) dated 16.09.2020 or as amended from time to time. Bidders shall submit undertaking/self-certificate regarding Local content in the format provided. Bidder shall also give details of the location(s) at which the local value addition is made.

Public Procurement (Preferences to Make in India) Policy (including its latest modifications/amendments) as may be prevailing on the date of Price Bid Opening shall be applicable against this tender. Bidders are requested to go through the Public Procurement (Preferences to Make in India) policy available on concerned ministry website.

- d) Bidder shall comply with the provisions of “Restrictions under Rule 144(xi) of the General Financial Rules (GFRs) 2017” issued by Department of Expenditure, Ministry of Finance dated 23.07.2020 and subsequent amendments.
- e) The tender is being invited from PAFs (Project affected families) of Sawalkote HE Project, Tanger, Ramban of UT Jammu & Kashmir or Locals of District Ramban/ Reasi / Udhampur of UT Jammu & Kashmir, therefore either PAFs (Project affected families) of Sawalkote HE Project or Locals of District Ramban/ Reasi/ Udhampur of UT Jammu & Kashmir are only eligible.

2.2 Bidders shall not be under declaration of ineligibility for banning / delisting / blacklisting / debarment from business on the ground mentioned in para 6 of Guidelines on Banning of Business dealings (Annexure-A) to Integrity Pact at the time of submitting the bid and shall intimate immediately of any such banning / delisting / blacklisting / debarring after submission of bid till award of tender. Self- Declaration in this regard is to be submitted as per the enclosed proforma (Forms- 6-, Section-III).

2.3 The Bidders whose contract(s) have been terminated due to unsatisfactory performance by employer in past, shall not be allowed to participate in the bidding process till completion of the ineligibility period.

2.4 ~~To improve transparency and fairness in the tendering process the Employer is implementing Integrity Pact.~~

~~The Integrity Pact, signed by all the prospective Bidders and the Employer, shall commit the persons/officials of both the parties, not to exercise any corrupt/ fraudulent/collusive/coercive practices in the Tendering process and also during implementation of the Contract. Only those Bidders who have entered into Integrity Pact with the Employer shall be eligible to participate in the bidding process.~~

~~All Applicants shall enter into an Integrity Pact (to be executed on plain paper) with the Employer at the time of submission of their Bids. The Integrity Pact digitally signed / signed on behalf of the Employer shall be as per Form 7 Section III. The Integrity Pact shall be downloaded, printed and signed by the Applicant and to be submitted online.~~

~~Successful bidder shall submit duly executed Integrity pact on Non Judicial Stamp paper of appropriate value prior to signing of Contract Agreement.~~

To oversee the compliance of obligation under the Integrity Pact, _____ (name of IEM) has been appointed as Independent External Monitor (IEM) by the Employer. The Contact address of IEM is as under:

1. Dr. Vinod Aggarwal, B-103, Sarvodaya Enclave, 2nd Floor, New Delhi-110017, e-mail: arsv50@gmail.com	2. Sh. Prabhash Singh, E7M702, Housing Board Colony, Arera Colony, Bhopal Madhya Pradesh-462016, e-mail: sgmhrbpl@gmail.com
--	--

3. Qualification of the Bidder

3.1 All bidders shall include the following information and documents with their bids in, Qualification Information unless otherwise stated in the ITB:

a) copies of original documents defining the constitution or legal status, place of registration, and principal place of business; Notorised written power of attorney of the signatory of the Bid to commit the Bidder. Additional information as sought in the Form-1 General Information, Section-III shall be provided;

b) work experience to demonstrate meeting the criteria stipulated in clause 3.2 A (b) shall be provided in Form -3 work experiences record, Section-III. The work experience shown shall be supported with certificate(s) from the Engineer-in- charge/Project head of the concerned work. In case of experience certificates produced by the contractors for having executed works for Private Organizations, TDS Certificates / Form 26AS / Annual Information Statement (AIS) shall also be produced along with experience certificate.

c) Information on financial criteria stipulated in **clause 3.2A (a)** shall be furnished in **Form -4**, Annual construction turnover, Section-III. Copy of affidavit/Certificate of CA mentioning Annual Construction Turnover of last 3 (three) years. Printed Annual reports or financial statements of the Bidder, such as balance sheet, profit and loss statements and auditor's reports as the case may be for the past three years shall be submitted to ascertain bidder's meeting the financial criteria. The CA Certificate should have the Unique Document Identification Number (UDIN) as per Gazette Notification No. 1- CA(7)/192/2019 dated 02.08.2019.

~~d) the proposed methodology (Schedule G in separate sheets) and programme of construction (in Schedule E), backed with equipment planning and deployment (in Schedule F), duly supported with broad calculations, justifying their capability of execution and completion of the work as per technical specifications and within the stipulated period of completion.~~

e) the tender is being invited from PAFs (Project affected families) of Sawalkote HE Project, Tanger, Ramban of UT Jammu & Kashmir or Locals of District Ramban/ Reasi / Udhampur of UT Jammu & Kashmir, therefore either PAFs (Project affected families) of Sawalkote HE Project or Locals of District Ramban/ Reasi/ Udhampur of UT Jammu & Kashmir are only eligible.

(i) The eligible bidder(s) for "PAFs" has to submit the PAF certificate of Sawalkote HE Project from the competent authority in the revenue department, which may be DM/Collector Land Acquisition/ACR/SDM/Tehsildar.

- (ii) The eligible bidder(s) for “Locals of District Ramban/ Reasi/ Udhampur of UT Jammu & Kashmir” has to submit either Ration Card or certificate of State Subject issued by competent authority.
- (iii) For benefit of larger population of the nearby area of Project, at a time not more than 02 works/services be allotted/awarded to the same entity. Therefore, the Price Bid of the bidders, whom two works/services awarded or successful (L- 1 bidder) in local competitive bidding at the time of price bid opening shall not be opened in other local competitive bidding tenders, i.e. maximum two package at a time shall be awarded per bidder.
- (iv) Further, the value of Works and Services to be awarded to any single entity at any point of time shall be limited to Rs.60 Lakhs.

3.2 A To qualify for award of the Contract, each bidder should have:

- a) Achieved in any one year in last three years a minimum Annual construction turnover of at least equivalent to the estimated cost (i.e. Rs. 42,97,018/-) of works for which bid has been invited.
- b) Satisfactorily completed, in last seven years ending on last day of month previous to one in which applications are invited, at least one similar work costing not less than the amount equal to 80% of the estimated cost (i.e. Rs. 34,37,614.40) of work or two similar works costing not less than the amount equal to 50% of estimated cost (i.e. Rs. 21,48,509.00) of work or three similar works not less than the amount equal to 40% of the estimated cost (i.e. Rs. 17,18,807.20) of works.

For arriving at the cost of similar work, the value of work executed shall be brought to current costing level by enhancing the actual value of work at simple rate of seven percent per annum, calculated from the date of completion to the date of bid opening.

Similar nature works: All Civil Construction Works.

3.2 B Each bidder must also submit with their Bid:

- (i) Copies of PAN, GST Registration No., EPF Registration No. and ESIC Registration No. (as applicable).
- (ii) A declaration that the information furnished with the bid documents is correct in all respects in form-5, form of declaration, Section-III.
- (iii) Such other certificates if any as defined in the ITB.

3.2 C To qualify for Contract for which bids are invited in the Notice Inviting Tender, the bidder must demonstrate having work experience, financial capability and resources sufficient to meet the aggregate of the qualifying criteria. Failure to produce the certificates and documents in clauses 3.1 and 3.2(A) & (B) shall make the bid non-responsive.

3.2 D JVs or any other arrangement other than sole bidder is not allowed. Experience and resources of proposed sub-contractor, if any shall not be taken into account in determining the bidder's compliance with the qualifying criteria. However, experience of bidder as sub- contractor approved by Project developer shall be considered. Experience of bidders as member of Consortium/Joint Venture shall be considered as per distribution of work against the member of the Consortium/Joint Venture. In case where distribution of Consortium/JV members is not specified in Consortium/JV agreement then the experience credential shall be considered for all

members of JV with minimum 35% participation share.

3.2 E All Startups (whether MSEs or otherwise) registered for similar nature of work falling within the definition as per Gazette notification- GSR 127(E) dated 19.02.2019 or as amended from time to time are exempted from meeting the qualification criteria in respect of Prior Experience-Prior Turnover as per para 3.2 A subject to their meeting the quality and technical specification. However, the Employer reserves the right to deny such exemptions to Startups in case of circumstances like procurement of items related to public safety, health, critical security operations and equipments etc.

3.2 F Insolvency

The Bidder against whom an application for initiating corporate insolvency resolution process has been admitted by the Adjudicating Authority under the Insolvency and Bankruptcy code 2016 or as amended from time to time shall not be eligible for bidding. The same shall also be applicable to the bidder company who has taken unconditional technical and/or financial support from their Parent/ Holding Company, against whom an application for initiating corporate insolvency resolution process has been admitted by the Adjudicating Authority under the Insolvency and Bankruptcy Code 2016, or as amended from time to time (IBC 2016 hereafter).

In case, bidder in respect of whom any application for initiating corporate insolvency resolution process was not admitted at the time of submission of bid but subsequently during the period of evaluation of bids or any time before the work is awarded, any such application is admitted by the Adjudicating Authority under the IBC 2016, the bidder shall be considered as ineligible and his bid shall be rejected.

An undertaking that “no insolvency proceedings is admitted by the Adjudicating Authority against bidder under the IBC 2016” shall be submitted on letter head duly signed by the authorized representative of bidder.

Further, the bidder after submitting the bid till the time of award of work, shall inform NHPC regarding any admission of application for corporate insolvency resolution process by the Adjudicating Authority under the IBC 2016 against bidder and any suppression of such fact shall render the bidder liable for rejection of his bid and banning of business dealing as per terms and conditions of the Bid Document.

3.3 Disqualification:

Even though the bidders meet the above qualifying criteria, they are subject to be disqualified if they have:

- (i). made misleading or false representations in the forms, statements, affidavits, declarations and attachments submitted in proof of the qualification requirements; and/or,
- (ii). participated in the previous bidding for the same work & found L-1 and had quoted abnormally high or low bid prices and could not furnish rational justification for it to the Employer,
- (iii). The Bidders whose contract(s) have been terminated due to unsatisfactory performance by employer in past, shall not be allowed to participate in the bidding process till completion of the ineligibility period. In such case the bid shall be considered as non-responsive.

4.0 Time for Completion

The successful bidder shall complete the entire work within the time specified at SI no. -1, to be reckoned from the date of issue of Letter of Acceptance issued by the Employer.

5.0 Tenders must be accompanied by the earnest money of the amount specified for the work in the table.**6.0 Pre-Bid Meeting**

- ~~a) If required, a Pre Bid meeting open to all the prospective Bidder(s) will be held at venue, date and time as per SI. No. 1 wherein they shall be given an opportunity to obtain clarifications, if any, regarding the work and Bid conditions.~~
- ~~b) Prospective Bidder(s) may submit their queries, if any, by email / courier / at address stated at Para 1(A)(ix) of NIT at least 03 days before the pre Bid meeting so that the same can be replied during the meeting.~~

7.0 Bid submission

- i) Online Bid Submission – Technical Bid (Cover-I) (Refer Section- II i.e. ITB) and Price Bid (Cover-II) electronic format) complete in all respect must be uploaded at the aforesaid portal before the specified date & time as per SI. No. 1.
- ii) Offline Bid Submission (Refer Section- II i.e. ITB) complete in all respect must be delivered in sealed envelopes to the address, up to the specified date & time as per SI. No. 1

In the event of the specified date or amendment if any for the submission of bids being declared a holiday for the Employer, the hard copy of the documents will be received up to the specified time on the next working day. Similarly, in the event of the specified date or amendment if any for the opening of bids being declared a holiday for the Employer, the opening shall be carried out at the specified time on the next working day. However, the date and time for online submission of the Bids shall continue to be the date and time specified or amendment if any.

8.0 The currency for the Bid shall be Indian Rupee only.**9.0** Bids shall be valid for a period as mentioned in SI no. 1 after the deadline for Bid submission. If any Bidder withdraws his Bid before the said period or makes any modification in his Bid, the Earnest Money deposit of the Bidder shall be forfeited. Prior to the expiry of bid validity period, Employer may request Bidders to extend the Bid validity period. The request and the response shall be made in writing. An extension of the bid validity period will not entitle a Bidder to modify its Bid. In case Bidder fails to extend the bid validity upon employer's request, the corresponding Bid shall be rejected as being non-responsive.**10.0** The Techno-commercial Bid shall be opened online at venue date & time as per SI. No.-1. the time and date of opening of Financial Bid of bidders qualified the technical bid shall be communicated through portal at later date after evaluations of technical bids. The Employer/Tender inviting Authority at his discretion may open Technical and Financial Bid simultaneously and evaluate the Bid completely.

- 11.0** The Employer may impose certain restrictions on the foreign companies participating in any form and their employees in view of the National Security, in the Project situated in the sensitive region and border areas. The Employer shall obtain clearance of Govt. of India regarding security implications prior to qualification of such company. Further, bidders from countries which share land border with India shall comply with Department of Expenditure, Ministry of Finance, GoI, OM No. F.No. 6/18/2019/PPD dt. 23.07.2020 & 24.07.2020.
- 12.0** Any corrigendum, subsequent amendments and / or extension of date, if any, for submission of Bids shall be posted on the portal <https://eprocure.gov.in/eprocure/app>. Bidder(s) are advised to visit the portal regularly before the deadline for submission of Bids.
- 13.0** The employer reserves the right to accept or reject any Bid and to cancel the Bidding process and reject all Bids, at any time prior to the award of Contract, without thereby incurring any liability to the affected Bidder or Bidder(s). However, the Bidder(s) who wish to seek reasons for such decision of cancellation/rejection shall be informed of the same by Employer unless its disclosure reasonably could be expected to affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the state or lead to incitement of an offence.
- 14.0** In case of any difference between wordings of English and Hindi, version of 'Notice Inviting Tender', English version shall prevail.

(For & on behalf of NHPC Ltd.)

**Group. Senior Manager (P&C)
Sawalkote H.E. Project (1856 MW),
Tanger, Distt. - Ramban (J&K)- Pin - 182144,
Phone # 9816502609, Fax #
Email: pnc-sawalkote@nhpc.nic.in**