

PART I: NOTICE INVITING BID

SAMPLE SHORT NOTICE INVITING BIDS

(DCB/ICB)

NIB NO. _____ DATED _____

North Eastern Electric Power Corporation Limited invites online electronic bids from prospective bidders fulfilling the Qualifying Requirement under Single-Stage Two-Envelope bidding system for carrying out the following work:

Name of Work	Time of Completion
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For further details, interested bidders may visit the websites(name of the e-tender portal)....., www.neepco.co.in. Any subsequent changes/modifications/notifications against this tender shall be updated on the websites mentioned above. Last date for online submission of bid is xxxxxxxx by xxxxxxxx Hours.

Executive Director
Contracts & Procurement

NIB NO. DATED

SAMPLE NOTICE INVITING BIDS (NIB)

DOMESTIC COMPETITIVE BIDDING (DCB)

Name of work: (To be indicated).....)

1. North Eastern Electric Power Corporation Limited, invites online electronic bids at e-procurement portal(name of the e-tender portal)..... from prospective bidders fulfilling the Qualifying Requirement under Single-Stage Two-Envelope bids through Domestic Competitive Bidding (DCB) route for carrying out the work of(Name of work to be indicated)at an estimated cost of Rs..... (Amount to be indicated).

2. BIDDING PROCEDURE:

The Bidder shall submit Bids under Single-Stage Two-Envelope bidding system through online as follows:

Techno-Commercial Bid (Envelope No. 1): Shall contain Earnest Money Deposit (EMD), documents in support of Qualifying Requirements and Techno-Commercial Bid.

Price Bid (Envelope No. 2): Shall contain Price Bid. Price Bids of only those Bidders who qualify in Techno-Commercial evaluation shall be opened.

3. TIME OF COMPLETION:

The time allowed for completion of the work in all respect shall be (Period to be indicated).

4. **EARNEST MONEY DEPOSIT:** Earnest Money Deposit shall be (Amount to be indicated). The bidders registered as Micro/ Small Enterprises are exempted from paying applicable Earnest Money Deposit (EMD).

5. SCOPE OF WORK: (To be indicated)

6. QUALIFYING REQUIREMENTS:

6.1 General Requirement For The Bidder:

- (i) A bidder who may be an individual or Partnership firm or Limited liability Partnership or Private/ Public Ltd. company shall be a registered entity in India. In case of a Joint Venture/ Consortium bidder all the partners should be registered entities in India.

(In case of ICB tender, this provision shall be read as "A bidder who may be an individual or Partnership firm or Limited liability Partnership or Private/ Public Ltd. company shall be a registered entity in their own country.")

- (ii) As per Clause No. 3(b) of 'Public Procurement (Preference to Make in India), Order 2017, issued vide Order No. P-45021/2/2017-PP/BE-II dated 16-09-2020 of Department for Promotion of Industry and Internal Trade (Public Procurement Section), Ministry of Commerce and Industry, Government of India, read in conjunction with Order No. A-1/ 2021-FSC-Part(5) Dated 16-11-2021 of Ministry of

Power, Government of India, only 'Class-I local supplier' & 'Class-II local supplier' shall be eligible to participate in this bid. For definition of 'Class-I local supplier' & 'Class-II local supplier', bidders may refer Clause No. 4(ix), Part-II, Vol-1 of Bid document.

- (iii) For domestic bidders having relation with an entity incorporated, established or registered in a country which shares a land border with India, as defined in Order (Public Procurement No. 1) dated 23rd July, 2020 and Order (Public Procurement No. 2) Dated 23rd July, 2020, both issued by Public Procurement Division, Department of Expenditure, Ministry of Finance, Government of India, the provisions of these orders shall apply.

6.2 Technical Requirement: (Refer to Clause 8(b)(i)(a) of Volume-III, Part-II, ITB of C&P Manual)

6.3 Financial Requirement: (Refer to Clause 8(b)(i)(b) of Volume-III, Part-II, ITB of C&P Manual)

6.4 Joint Venture Bidders:

Bidders in the form of Joint Venture/ Consortium shall have a legally binding Agreement between the partners for joint and several responsibilities and should submit copies of such Agreements with the Bid. In the event of Joint Venture, the role of each partner, alongwith name of lead partner, must clearly be indicated in the Joint Venture Agreement. In no case shall the Joint Venture have more than 2 (two) partners. One of the partners shall be nominated as lead partner with holding of more than 50%, and his authorisation shall be evidenced by submitting a Power of Attorney signed by legally authorized signatory(s) of the other partner. The lead partner shall be authorized by the Joint Venture to operate the following:

- i) To submit bid
- ii) To incur liabilities including payment of Vendor Registration fee, Bid fee, Earnest Money Deposit (EMD) etc.
- iii) To receive instructions for and on behalf of the Joint Venture, and the entire execution of the Contract, including payments.

6.4.1 The detailed qualifying criteria of lead partner and other partners are as below:

- i) The lead partner of a Joint Venture/Consortium shall fully meet the following requirements:-
 - a) Holding in Joint Venture/Consortium of more than 50%.
 - b) Technical experience specified in para 6.2 above.
 - c) Minimum Average Annual Turnover (MAAT) of not less than percentage share (equal to holding in Joint Venture/Consortium) of that specified in Clause 6.3(i) above.
 - d) Working Capital of not less than percentage share (equal to holding in Joint Venture/Consortium) of that specified in Clause 6.3(ii) above.
 - e) Net worth of the bidder as on last day of the preceding financial year should not be less than 25% of the Paid up capital as specified in Clause 6.3(iii) above.
 - f) Bid Capacity of not less than percentage share (equal to holding in Joint Venture/Consortium) of the estimated cost of the work put to tender as specified in Clause 6.3(iv) above.

- ii) The other partner of Joint Venture/Consortium shall individually meet the following requirements:-
 - a) Holding in Joint Venture/Consortium of minimum 20%.
 - b) Technical experience specified in para 6.2 above.
 - a) Minimum Average Annual Turnover (MAAT) of not less than percentage share (equal to holding in Joint Venture/Consortium) of that specified in Clause 6.3(i) above.
 - b) Working Capital of not less than percentage share (equal to holding in Joint Venture/Consortium) of that specified in Clause 6.3(ii) above.
 - c) Net worth of the bidder as on last day of the preceding financial year should not be less than 25% of the Paid up capital as specified in Clause 6.3 (iii) above.
 - d) Bid Capacity of not less than percentage share (equal to holding in Joint Venture/Consortium) of the estimated cost of the work put to tender as specified in Clause 6.3(iv) above.
- iii) Individual/ Company/Firm, by itself or Joint Venture/Consortium shall collectively satisfy, as a whole, the requirements specified under Paras 6.1, 6.2 & 6.3 above. Relevant experience of each partner shall be counted for the purpose of assessing experience of this Joint Venture/Consortium. However, parties claiming to have past experience by virtue of being a partner of Joint Venture/Consortium, while executing particular works in the past, shall also have to produce documentary evidence of their role and scope of work in the aforesaid Joint Venture/Consortium, which only shall be counted for the purpose of assessing experience of this Joint Venture/Consortium.

6.5 Bids by Merged/ Acquired/ Subsidiary Companies:

In case of a Bidder's Company, formed after merger and/ or acquisition of other companies, past experience and other antecedents of the merged/acquired companies will be considered for qualification of such Bidders Company provided such Bidders Company continues to own the requisite assets and resources of the merged/ acquired companies needed for execution and successful implementation of the work package put to tender.

If the Bidder is a Subsidiary company which by itself does not meet the qualifying criteria stipulated at Clause 6.2 & 6.3 above can submit bid on the basis of technical experiences and financial credentials of its Parent Company, required exclusively for meeting the qualifying requirements and also subject to the following conditions.

- a. A Subsidiary company can be a Partner of a Joint Venture meeting the requirements of Joint Venture bidder stipulated at Clause 6.4 above.
- b. Parent Company holds/owns majority (more than 50%) shares of such Bidders (Subsidiary) Company.
- c. Subsidiary company fulfils qualifying criteria stipulated at Clause 6.1.
- d. The bidder shall enclose in its Bid an Undertaking by the Parent /Holding Company (as per format given in **Form-F**, included in Tender Forms and Data Sheets of Bid Document) confirming Parent/Holding Company's full support to the Subsidiary Company for the Technical experiences and Financial credentials and its commitment to take up the work itself in case of non-

performance by the Subsidiary Company in the event of award of work to the Subsidiary Company.

- e. The Parent/Holding Company shall enter into a separate agreement with NEEPCO Ltd. (as per format given in **Form-G** included in Tender Forms and Data Sheets of Bid Document) for fulfilling the obligation as per the undertaking/commitment of the Parent/Holding Company as mentioned at 6.5 (d) above, in case Subsidiary Company gets qualified and awarded the work package.
- f. In case Subsidiary company gets qualified and awarded the work package, the Parent/Holding Company will be required to furnish an additional Performance Bank Guarantee of value equivalent to 1.5% (one point five percent) of the Contract Sum or portion of work (where the subsidiary company is Joint Venture Partner) as the case may be, in addition to normal Performance Bank Guarantee (i.e. Initial Security Deposit (ISD)) to be submitted by the Bidder company to the Owner besides entering into a separate Agreement in the requisite Format provided in the Bid Document. The experience of subsidiary companies of the Parent/ Holding Company will be considered experience of the Parent/ Holding Company.
- g. A subsidiary company intending to qualify on the strength of Parent Company shall not be allowed to participate as a sub-contractor.
- h. Indian Subsidiary company of foreign company shall meet the qualifying requirements specified at Clause 6.2 & 6.3 above. This is as per Annexure – II of Order No. Order No. A-1/ 2021-FSC-Part(5) Dated 16-11-2021 of Ministry of Power, Government of India.

For the purpose stated herein above in this clause, "Parent Company" shall mean the "Holding Company" owning majority (more than 50%) shares of such Bidders (Subsidiary) Company. Similarly by extensions of this interpretation, if "A" is owned by a "Holding Company" "B" which in turn is owned by another Holding Company "C" then "C" is construed as the "Parent Company" of "A" as well as and so on. An apex "Parent Company" may own number of independent Subsidiary / Group Companies and if any of these Subsidiary/Group Company commits assured support and unhindered access to its assets and resources to another Subsidiary/Group Company (Bidders in this case) under the same apex "Parent Company" then experience and other credentials of such Subsidiary/Group Company shall also be considered for qualification of the Bidders Subsidiary Company provided such commitment is evidenced /authorised and guaranteed by the apex "Parent Company". However, for fulfillment of financial criteria, financial evaluation vis-s-vis the requirement as stated above shall be done on the basis of consolidated printed annual report for the immediately preceding 5 (five) years of the Parent/ Apex Parent Company submitted by the bidder along with the bid.

6.6 **Bidders associating Sub-Contractor(s):**

In case the Bidder does not have all requisite specific experience and also does not wish to enter into a Joint Venture he can associate sub-contractor(s) for specified activities as brought out below. The criteria to be met by such Bidder shall be as follows:

- (i) The Bidders himself to fully meet the following:
 - General Construction Experience criteria specified under Clause 6.2 above.

- All criteria mentioned under Financial capacity in Clause 6.3 above.
 - Specific experience criteria for Specific Construction Experience for **(to be mentioned as per QR given under Clause 6.2 above)**.
- (ii) The number of sub-contractors not to exceed two (2) for meeting the specific experience criteria under Clause 6.2 above.
 - (iii) The Bidders can propose the subcontractor(s) for Specific Construction Experience for **(to be mentioned as per QR given under Clause 6.2 above)**.
 - (iv) The proposed sub-contractor(s) shall individually meet fully at least one or more of Specific Construction Experience for components listed in **(to be mentioned as per QR given under Clause 6.2 above)**.
 - (v) The Bidder and his proposed sub-contractor(s) should collectively satisfy, as a whole all the specified experience requirements.
 - (vi) The Bidder and his sub-contractor(s) shall submit separate undertakings as per Format included in the Bid Document that the Bidder/sub-contractor(s) shall be responsible for execution of that item of work for which they claim to have Specific Work/Construction Experience.
 - (vii) The Bidder and his sub-contractor(s) shall submit Joint Deed of Undertaking (JDU) as per Format included in the Bid Document.
 - (viii) Sub-contractor(s) shall submit Performance Bank Guarantee equivalent to 5% of corresponding value of Work sublet in addition to the Performance Bank Guarantee for whole contract submitted by the Bidders on award of Work.
 - (ix) In the event of award of work to such bidder, all payments shall be made exclusively to the bidder.
 - (x) The above sub-contractor arrangement is not allowed to be clubbed with a Joint Venture bid/ Joint Venture bidding arrangement.

Authenticated documentary evidence in support of qualifying requirements, as mentioned under Clause 6.1 to 6.6 above, shall be submitted in Techno-Commercial Bids. The documents should be in the form of Certificate of Clients/Owner. Bids submitted without fulfilling the qualifying requirements shall be outright rejected.

7. i) Interested Bidders, who fulfil the qualifying requirements as mentioned under Clause 6 above, may download the Detailed Bid Document from(name of the e-tender portal)..... with effect from (Date to be mentioned) on payment of Vendor Registration fee and bid fee as given under Clause 8 below.

ii) **INTEGRITY PACT**

All the Bidders shall enter into an Integrity Pact with the Owner at the time of submission of Techno-Commercial Bids. For this, the Owner has appointed the following person, who shall act as an Independent External Monitor (IEM) for overseeing the compliance of obligations by the parties under the Integrity Pact. (The Name, Address and Phone No. of IEM may be confirmed from Corporate C&P Wing).

8. PARTICIPATION IN BIDS (Relevant for e-tendering):

i) **E-Tendering / E-Procurement:**

This tender is being processed through e-tendering/e-procurement system. The bidding documents are to be downloaded from(name of the e-tender portal)..... and bids are to be submitted/ uploaded through above e-tendering system. Guidelines for e- tendering system are as available on e- tender portal.

ii) **Registration for Participation in Bids:**

It shall be as per e- tendering system as available on e-tender portal
(name of the e-tender portal).....

[For illustrative purpose, registration for participation in bids in the Central Public Procurement Portal (URL: <https://etenders.gov.in/eprocure/app>) is given as under:

- a. Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: <https://etenders.gov.in/eprocure/app>) by clicking on the link “**Online bidder Enrolment**” on the CPP Portal which is free of charge.
- b. As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.
- c. Bidders are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.
- d. Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (**Class III Certificates with signing key usage**) issued by any Certifying Authority recognized by CCA India (e.g. Sify / nCode / eMudhra etc.), with their profile.
- e. Only one valid DSC should be registered by a bidder. Please note that the bidders are responsible to ensure that they do not lend their DSC's to others which may lead to misuse.
- f. Bidder can then log in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

Bidders are requested to get themselves enrolled on the e-Procurement Portal (URL: <https://etenders.gov.in/eprocure/app>) well in advance and no extra time will be considered for submission of bids for the delay in enrolling on the e-Procurement portal.

For registration and other e-procurement portal related queries, bidder may contact NIC at Ms. Deibaphira Suchiang, Functional Manpower (FMP), National Informatics Centre, Meghalaya State Centre, Shillong at mobile no. 7005490585, e-mail: deibaphirasuchiang@gmail.com]

iii) Bid Fee:

Bidders shall have to pay Bid fee (non-refundable) of INR (Rupees only) including GST only for participation in this instant NIB. Applicable bank charges shall be borne by the bidder.

The bidder shall make the payment to NEEPCO through SB Collect or NEFT/RTGS. During payment of bid fee, Bidders shall clearly indicate the NIB No. against which the bid fee is paid.

Particulars of NEEPCO bank account is given below:

- a) Name of the Bank:
- b) Name of Beneficiary's Account:
- c) Bank A/c No:
- d) Type of A/c: ...
- e) IFS Code: ...

This system generated receipt shall be downloaded for submission as per bid condition.

- iv) For any clarification related to terms and conditions of Bid Document, bidders are requested to send their queries online at(name of the e-tender portal)..... within the timeline stipulated in the system. Alternatively, the bidders may also forward e-mail clearly stating their queries to tendering authority at e-mail id Bidders may contact in regard to the instant NIB at (phone number of the concerned person shall be specified).....

9. SUBMISSION AND OPENING OF BIDS: (Relevant to e-tendering)

- 9.1 Bidders shall prepare and submit their bids online in(name of the e-tender portal)..... as per timeline mentioned in Clause 10 below. Online bidding forms will be available in the above website. Submission of online bids is mandatory for consideration of the bids by NEEPCO. Besides online submission, bidders shall also compulsorily submit the following documents in offline mode as per Checklist provided in Detailed Bid Document.

- i) Earnest Money Deposit in the form of Bank Guarantee as per format provided in Form-C: Tender Forms and Data Sheets, Volume-5 of the Bid Document or other acceptable instrument (In original) as provided at Clause 16 of ITB.
- ii) Power of Attorney as per format provided in Form-D: Tender Forms and Data Sheets, Volume-5 of the Bid Document (In original).
- iii) Joint Venture/Consortium Agreement as per format provided in Form-E: Tender Forms and Data Sheets, Volume-5 of the Bid Document, if applicable (In original).
- iv) Authorization of Lead Partner by the Joint Venture as specified in Clause 6.4 of this Part of the Bid Document, if applicable (In original).
- v) Two original copies of Integrity Pact (duly signed by authorized signatory who signs the Bid) in the format enclosed at Appendix-A, Vol-I, Part-II of the Bid Document.

These above mentioned documents shall be submitted by hand or by registered Post/ Courier in a sealed envelope at the following address within the scheduled date and time mentioned under Clause 11 below.

The Executive Director,
Contracts & Procurement,
North Eastern Electric Power Corporation Ltd.,
Brookland Compound, Lower New Colony,
Shillong – 793 003,
Meghalaya, India.

Tel: 0364-2227784, E-mail: contract_neepco@yahoo.com

- 9.2 Bidders may view the tender opening results of Techno-Commercial and Price bids in(name of the e-tender portal)..... by marking their presence for online tender opening.

10. **BID VALIDITY:** 90 (ninety) days from the date of opening of Techno-Commercial Bids.

11. TENDER TIMELINE:

- (a) Date of commencement of downloading of Detailed Bid Document from(name of the e-tender portal).....: ... (Date to be mentioned)

- (b) End date and time for downloading of Detailed Bid Document upto 10:00 Hours (IST) of (Date to be mentioned).
- (c) Last date & time of receipt of queries from prospective bidders : Upto 12:00 Hours (IST) on (Date to be mentioned).
- (d) Last date & time for receipt of online bids: Upto 12:00 Hours (IST) on (Date to be mentioned).
- (e) Last date & time for receipt of offline documents to be submitted as per bid conditions: Upto 12:00 Hours (IST) on (Date to be mentioned).
- (f) Date & time for opening of Techno-Commercial bids online: At 13:00 Hours (IST) on (Date to be mentioned).

In the event the last date specified for submission of bids and date of opening of Techno-Commercial bids is declared as a closed holiday for NEEPCO, the last date for submission of bids and date of opening of Techno-Commercial bids will be the following working day at the appointed times.

12. Bidders are requested to visit(name of the e-tender portal)....., NEEPCO website <http://www.neepco.gov.in> and Central Public Procurement portal <http://www.eprocure.gov.in> regularly for any subsequent notice of Clarification/Amendment/Corrigendum to this Notice Inviting Bid.
13. The bidders are requested to adhere to the following: **(Relevant to e-tendering)**
 - ii) Obtain individual Organization Digital Signature Certificate (DSC or DC) well in advance of tender submission deadline on ETS (Electronic Tendering System).
 - ii) Register your organization on ETS well in advance of tender submission deadline on ETS.
 - iii) Get your organization's concerned executives trained on ETS well in advance of tender submission deadline on ETS.
 - iv) Submit your bids well in advance of tender submission deadline on ETS (There could be last minute problems due to internet timeout, breakdown, etc.). The bidders are requested to submit the bid through online e-tendering system well before the bid submission end date and time as per Server System Clock. The Corporation shall not be responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders at the eleventh hour. While the first three instructions mentioned above are especially relevant to first-time users of ETS, the fourth instruction is relevant at all times.
14. NEEPCO reserves the right to reject any or all bids, or to annul the bidding process and reject all the bids for any justified and genuine grounds without thereby incurring any liability to the affected bidders, nor does it have any obligation to inform the bidders of the ground for the action of NEEPCO.

Executive Director
(Contracts & Procurement)