



**GUIDELINES**  
**FOR**  
**e-PROCUREMENT**  
**OF**  
**WORKS AND SERVICES**  
**(Updated upto April'2022)**

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# CHAPTER-I

# GENERAL GUIDELINES AND FORMATS

- 1. PREFACE:** This document containing broad guidelines for e-Procurement for Works and Services has been framed with an objective that it should help all concerned in adopting the proposed automated, web-based e-Procurement System with the objective of online evaluation and thereby reducing the human intervention in evaluation of tender and reduction of cycle time of procurement. The system is based on the facts and figures obtained from National Informatics Centre (NIC) and other internal sources. However, any improvement to these guidelines may be adopted by CIL with the approval of Chairman, CIL for the purposes like:
- a. Improvement in the System functionality
  - b. Enhanced convenience to the users of the System
  - c. Compliance of Govt. directives and policies related to e-Procurement.
  - d. Changes in Manuals of CIL

Note:

- FDs of CIL is authorized to approve any modifications arising out of operation constraints/difficulties in the provisions of CMM/MCEW/e-procurement guidelines for Works and Services of CIL subject to intimation to CIL Board in its next meeting (approved in 400<sup>th</sup> meeting of Board of Directors of Coal India Limited held on 12<sup>th</sup> March 2020).
  - Director (Technical), CIL is authorized to approve consequential changes arising out of the above and other amendments approved since last publication of CMM and e-Procurement guidelines and for updation of all Chapters of CMM by incorporating all the amendments approved till date since the last publication of Manual (approved in 228<sup>th</sup> meeting of CFD, CIL held on 21<sup>st</sup> May 2020).
- 2.** The e-Procurement portal shall be in compliance with IT Act 2000 and its subsequent amendments and it shall comply with the relevant circulars of CVC and other statutory bodies.
- 3. SCOPE:** - The e-Procurement system will cover the following:
- a. All the Open and Limited Open (Open tender for all the eligible Bidders with intimation to some short listed vendors) tenders having Estimated Value of Rs. 2.00 lakhs and above.
- This threshold limit may be reduced further by Chairman, CIL/CMD of the Subsidiaries, as per requirement.
- b. All Single/Limited tenders for Estimated value of Rs 2 lakhs and above.
- It shall require the implementation of the vendor/contractor registration in different categories in compliance with CVC Office Order No. 43/7/04 dated 02.07.04 and its subsequent guidelines on this matter, if any.
- c. The single cover system without technical and financial eligibility and without reverse auction for Works and Services with estimated value put to Tender below Rupees 50 Lakhs.

(Note: FDs of CIL in its 228<sup>th</sup> meeting vide item no. 228.13 approved to include pre-qualification criteria (experience criteria) for safety and production related works to be decided by the Subsidiary for estimated value of tender below Rs.50 lakh.)

- d. The two part tendering system without reverse auction for Works and Services with estimated value put to Tender Rupees 50 Lakhs and above.
- e. All the steps starting from hosting of Tenders (based on approved and financially concurred estimate/indent) till decision of L-1 Bidder is covered in the e-Procurement system. This includes Creating and Hosting of NIT, Downloading and submission of bids, Opening of Tender and Evaluation of bids including uploading of work order/supply order online on a dedicated e-Procurement portal of the Company with validation of Tender Committee at nodal stages only. The e-Procurement Portal also generates Reports required for the MIS/Decision Support System of CIL/Subsidiary.
- f. The other Terms and Conditions of NIT and any other offline process (including evaluation of bids, if any) not covered under e-Procurement Manual of CIL, will be as per the following Manuals of Coal India Limited:
  - i). Contract Management Manual (for Mining and Turnkey Contracts)
  - ii) Manual of Civil Engineering Works (for Civil/E&M works/Services other than Turnkey Contracts and other tenders pertaining to Goods Procurement)

The above Manuals are available on CIL website [www.coalindia.in](http://www.coalindia.in).

#### **4. THE ORGANISATIONAL SETUP**

An e-Procurement Cell will be at Company Headquarter under direct control of Director (Technical) to function as the nodal department for e-Procurement in CIL/Subsidiary. The executives from various disciplines will be posted in the e-Procurement Cell. Responsibility of the e-Procurement cell at CIL/Subsidiary HQ will be:

- a. To co-ordinate and correspond with NIC, Bidders, User Departments and other concerned authorities such as Banks, Auditors etc. for the effective and efficient implementation of e-Procurement.
- b. To facilitate customization of the Portal and to bring about continuous improvement in the system to suit the requirement of the Company.
- c. Arrangement of Training to Bidders and Departmental Users for adoption of automated web based e-Procurement mode.
- d. To coordinate for the infrastructure development for the proper implementation of the e-Procurement system.
- e. To create a helpdesk for online and offline support to different stakeholders of the system.
- f. To arrange and update the Digital Signature Certificate for departmental users.
- g. To arrange Publicity and facilitate change management for smooth migration from manual system of tendering to electronic mode.
- h. To guide the user departments for preparation of different formats or documents etc. for the e-Procurement system.
- i. To Administer the e-Procurement Application and Online User Management.

## **5. REGISTRATION/ENROLLMENT OF BIDDER ON E-PROCUREMENT PORTAL OF CIL:**

In order to submit the Bid, the Bidders have to get themselves registered online on the e-Procurement portal of CIL (<https://coalindiarenders.gov.in>) with valid Digital Signature Certificate (DSC) issued from any agency authorized by Controller of Certifying Authority (CCA), Govt. of India and which can be traced up to the chain of trust to the Root Certificate of CCA. The online Registration of the Bidders on the portal will be free of cost and one time activity only. The registration should be in the name of Bidder, whereas DSC holder may be either Bidder himself or his duly authorized person.

6. The Digital Signature Certificates have to be obtained for CIL/Subsidiary users from any agency authorized by CCA (Controller of Certifying Authority), Govt. of India. The Bidders will have to obtain the Digital Signature Certificate from any certifying agency which is authorized by CCA (Controller of Certifying Authority) of Govt. of India which can be traced up to the chain of trust to the root certificate of CCA.

## **7. UNDERTAKINGS TO BE furnished ON-LINE BY THE BIDDER**

### **USER PORTAL AGREEMENT**

#### **e-Tender Portal User Agreement**

In order to create a user account and use the e-Tender portal you must read and accept this e-Tender portal User Agreement.

#### **A. UNDERTAKINGS TO BE FURNISHED ONLINE BY THE BIDDER**

##### **I DO HEREBY UNDERTAKE**

1. That all the information being submitted by me/us is genuine, authentic, true and valid on the date of submission of tender and if any information is found to be false at any stage of tendering or contract period I/We will be liable to the following penal actions apart from other penal actions prescribed elsewhere in the tender document.

- a. Cancellation of my/our bid/contract (as the case may be)
- b. Forfeiture of EMD
- c. Punitive action as per tender document

2. That I/we accept all terms and condition of NIT, including General Terms and Condition and Special/Additional Terms and Condition as stated there in the tender document as available on the website.

3. That I/we accept the Integrity Pact as given in the tender document (if applicable).

4. That I/we am/are giving my/our consent for e-payment and submitting/shall submit the mandate form for e-payment in the format as prescribed in the document in case, the work is awarded to us.

5. That I/we do authorize CIL/Subsidiary for seeking information/clarification from my Bankers having reference in this bid.

6. That I/we will upload original/certified photo/scanned of all the relevant documents as prescribed in the tender document in support of the information and data furnished by me/us online.

7. I/We confirm that I/We have not been banned or de-listed by any Govt. or Quasi Govt. agencies or PSUs. In case We are banned or delisted this information shall be specifically informed to the tender issuing authority.

8. That I/We accept all the undertakings as specified elsewhere in the tender document.

9. That this online agreement will be a part of my bid and if the work is awarded to me/us, this will be a part of our agreement with CIL/Subsidiary Company.

## **B. TERMS AND CONDITIONS OF E-TENDER SERVICES AGREEMENT**

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YOU MAY NOT MODIFY, COPY, REPRODUCE, REPUBLISH, UPLOAD, POST, TRANSMIT, OR DISTRIBUTE, IN ANY MANNER, THE MATERIAL ON THE SITE, INCLUDING TEXT, GRAPHICS, CODE AND/ OR SOFTWARE.

You may print and download portions of material from the different areas of the website solely for your own non-commercial use provided that you agree that you shall not change or delete any copyright or proprietary materials from the site.

[www.coalindiatenders.gov.in](http://www.coalindiatenders.gov.in) is an e-procurement portal of Coal India Limited/it's Subsidiary.

**THIS E-TENDER PORTAL AND RELATED SERVICES SUBJECT TO YOUR COMPLIANCE WITH THE USER'S TERMS AND CONDITIONS SET FORTH BELOW.**

**PLEASE READ THE FOLLOWING INFORMATION CAREFULLY. YOU MAY NOT COMPLETE YOUR REGISTRATION AND USE THE E-TENDER PORTAL WITHOUT AGREEING TO COMPLY WITH ALL OF THE TERMS AND CONDITIONS SET FORTH BELOW.**

**BY REGISTERING THE USER NAME AND PASSWORD, YOU AGREE TO ABIDE BY ALL THE TERMS AND CONDITIONS SET FORTH BELOW.**

### **Bidder Registration, Password and Security**

Upon successful completion of Registration online, User ID and Password will be registered. You can login, only by giving valid *User ID* and *Password* and then signing with your valid Digital Signature Certificate.

The Online registration/enrollment of Bidder on the portal should be done in the name of the Bidder.

The person whose DSC is attached to the Registered Bidder should be **either** the Bidder himself **Or**, duly authorized by the Bidder.

User ID and password are strictly personal to each Authorised User and non-transferable. The User shall ensure that its Authorised Users do not divulge or disclose their user ID or password to third parties. In the event that the Authorised User comes to know that the User ID/ Password has been/might have been divulged, disclosed or discovered by any third party, user or its authorized user shall immediately modify the password using “**Change password**” option. CIL/Subsidiary will have no responsibility or obligation in this regard.

At the time of enrollment in the e-Tendering portal of CIL/its Subsidiaries, the Bidders should ensure that the status of DSC is active on this site. The activation of newly issued DSC may take 24 hrs or more. Hence Bidders who are obtaining new DSC should register at least 24 hrs before the submission of Bid.

By registering in this portal you forthwith assume the responsibility for maintaining the confidentiality of the Password and account, and for all activities that occur under your Password or Account. You also agree to (a) immediately notify by e-mail to **Application Administrator/Nodal officer**, of any unauthorized use of your Password or Account or any other breach of security, and (b) ensure that you log-out from your account at the end of each session. CIL/its Subsidiaries shall not be liable for any loss or damage caused to you due to your failure to comply with the foregoing.

Registered user can modify or update some of the information in their profile as and when required at their own discretion. However, some information such as “User ID” are protected against changes by Bidder after enrollment and some other information such as “Bidder Name” etc are protected against changes by Bidder after bid submission.

→ **Modification of software**

With consent of **Project Advisory Committee**, e-procurement of CIL, the Administrator of e-Tender portal, reserves the right to modify, add, delete and/or change the contents, classification and presentation of the information on the marketplace at any time as it may in its absolute discretion find to be expedient and without giving any notice. It is the users responsibility to refer to the terms and/or any change or addition to the same while accessing the site.

Coal India Limited reserves right to interrupt/suspend the availability of the e-Tender system without any notice to the users.

→ **System Requirements**

It is the users responsibility to comply with the system requirements: hardware, software, Internet connectivity at user premises to access the e-Tender portal as mentioned in the home page in the link ‘resources required’.

Under any circumstances, CIL shall not be liable to the Users for any direct/indirect loss incurred by them or damages caused to them arising out of the following:

(a) Incorrect use of the e-Tender System, or;



(b) Internet Connectivity failures in respect of the equipment used by the Users or by the Internet Service Providers, or;

(c) Inability of the Bidder to submit their bid due to any DSC related problems, hardware, software or any other factor which are personal/ special/ local to the Bidder.

#### → **Contents of Tender Information**

Tenders shall be published by the authorized *Tender Inviting Authorities* of the respective Tendering entities of CIL/Subsidiary. In case of any clarifications arising out of the tenders, the users have to contact the respective *Tender Inviting Authority*.

#### → **Bid Submission Acknowledgement**

The User should complete all the processes and steps required for Bid submission. The successful Bid submission can be ascertained once **acknowledgement** is given by the system through **Bid Submission** number i.e. **Bid ID**, after completion of all the processes and steps. Coal India Limited/Subsidiary is not responsible for incomplete bid submission by users. Users may also note that the incomplete bids will not be saved by the system and so the same will not be available to the *Tender Inviting Authority* for processing.

The acknowledgment is the only confirmation of submission of bid, which the Bidder can show as a proof of participating in the tender. Other than this acknowledgement, no proof will be considered as a confirmation to the submission of a bid. If the Bidder fails to produce this acknowledgement required for verification in case of dispute, his claim for submission of bid may not be considered.

#### → **Upload files**

The Bidders have to ensure that the files being uploaded by them are free from all kinds of viruses and contain only the relevant information as stated by the Tender Inviting Authorities for the particular tender. It is not obligatory on the part of CIL/Subsidiary to read each and every document uploaded by the Bidder. If any Bidder / company has uploaded / attached irrelevant data, bogus or fabricated certificates towards his qualification requirements to the respective tender then their User account will be liable for termination permanently or temporarily by CIL/Subsidiary without any prior notice.

#### → **User Conduct**

You agree that all information, data, text, software, photographs, graphics, messages or other materials (“Content”), whether publicly posted or privately transmitted, are the sole responsibility of the person from which such Content is originated. This means that you are entirely responsible for all Content that you upload, post, email or otherwise transmit via the e-Tender portal.

CIL/Subsidiary does not control the Content posted via the e-Tender portal and, as such, does not guarantee the accuracy, integrity or quality of such Content. Hence under no circumstances, CIL/Subsidiary is liable in any manner for any Content, including, but not limited to, for any errors

or omissions in any Content, or for any loss or damage of any kind incurred as a result of the use of any Content posted, e-mailed or otherwise transmitted via the Site.

→ **Amendments to a tender published:**

You agree that the CIL/ Subsidiary companies reserves the right to re-tender / cancel a tender or extend the closing date or amend the details of tender at any time by publishing corrigendum as applicable.

→ **Special Admonitions For International Use:**

Recognizing the global nature of the Internet, you agree to comply with all local rules regarding online content and acceptable Content. Specifically, you agree to comply with all applicable laws regarding the transmission of technical data to and from India or the country in which you reside.

→ **Links**

The Site may provide, links to other World Wide Web sites or resources. Because CIL/Subsidiary has no control over such sites and resources, you acknowledge and agree that the CIL/Subsidiary is not responsible for the availability of such external sites or resources, and does not endorse and is not responsible or liable for any Content, advertising, products, or other materials on or available from such sites or resources. You further acknowledge and agree that the CIL/Subsidiary shall not be responsible or liable, directly or indirectly, for any damage or loss caused or alleged to be caused by or in connection with use of or reliance on any such Content, Goods or Services available on or through any such site or resources.

→ **Miscellaneous**

This Agreement shall all be governed and construed in accordance with the laws of India & applicable to agreements made and to be performed in India. The e-Tender portal's failure to insist upon or enforce strict performance of any provision of this Agreement shall not be construed as a waiver of any provision or right. Neither the course of conduct between the parties nor trade practice shall act to modify any provision of this Agreement. CIL/Subsidiary may assign its rights and duties under this Agreement to any party at any time without notice to you. Any rights not expressly granted herein are reserved.

→ **Governing Law**

Terms shall be governed by, and construed in accordance with, Indian law. The parties agree that the principal civil court of the place where the registered office of Coal India/Subsidiary company is situated shall have **non-exclusive** jurisdiction to entertain any dispute with Coal India/Subsidiary company. In case of dispute being with a regional Institute of CMPDIL, the principle Civil Court where the said regional Institute is situated shall be place of suing.

CIL/Subsidiary reserves the right to initiate any legal action against those Bidders violating all or any of the above mentioned terms & conditions of e-Tender services agreement.

→ **Modification of terms of Agreement**

CIL/its Subsidiaries reserves the right to add to or change/modify the terms of this Agreement. Changes could be made by us after the first posting to the Site and you will be deemed to have accepted any change if you continue to access the Site after that time. CIL/its Subsidiaries reserves the right to modify, suspend/cancel, or discontinue any or all services/ make modifications and alterations in any or all of the content, at any time without prior notice.

## **→Policy and Security**

### **General Policy**

CIL/its Subsidiaries is committed to protecting the privacy of our e-Tender site visitors. CIL/Subsidiary does not collect any personal or business information unless you provide it to us voluntarily when conducting an online enrolment, bid submission etc. or any other transaction on the Site.

### **Information Collected**

When you choose to provide personal or business information to us to conduct an online transaction, we use it only for the purpose of conducting the specific online transaction that you requested. The information is also used for the purpose of vendor searches. For each online transaction, we require only a minimum amount of personal and business information required to process your transaction.

When you visit our portal to browse, read pages, or download information, we automatically collect and store only the following information:

- The Internet domain and IP address from which you access our portal;
- The date and time you access our portal;
- The pages you visit

This information would help us to make our site more useful to visitors and to learn about the number of visitors to our site and the types of technology our visitors use.

We do not give, share, sell or transfer any personal information to a third party unless required to do so by law. If you do not want any personal or business information to be collected, please do not submit it to us; however, without this required information we will be unable to process your online bid submission or any other on line transaction. Review, update and correction of any personal or business information can be done directly on the Site.

### **Use of Cookies**

When you choose to enter into an online transaction, we use cookies to save the information that you input while progressing through the transaction. A cookie is a very small amount of data that is sent from our server to your computer's hard drive. By enabling this feature, the cookie will remember the data entered by you and next time when you visit this site, the data stored in the cookie will be available in future.

### **Security**

The Site has security measures in place to protect against the loss, misuse and alteration of information under our control.

## **8. PREPARTION AND APPROVAL OF NIT**

**8.1 Standard NIT:** There will be standard NIT format for each department which will be framed in compliance with the e-Procurement Manual and shall be uniformly followed across all the Areas & Headquarter of CIL/Subsidiary. The standard NIT will be framed by HoD of the concerned tender inviting department at CIL/Subsidiary HQ in consultation with e-Procurement Cell regarding conformity with e-procurement portal software. The standard NIT format shall be approved by concerned Director of CIL/Subsidiary companies and will be circulated to all Areas of CIL/Subsidiary by the concerned HoDs at CIL/Subsidiary HQ.

**8.2** In case standard NIT is prepared and circulated by CIL, it should be followed uniformly throughout all the Subsidiary Companies. The minor changes as per the requirement of Subsidiary Companies or incorporation of subsequent modification in manuals/circulars/guidelines may be made with approval of concerned Director of Subsidiary Companies.

**8.3** The works for which standard NIT is not applicable, a fresh NIT will be framed by HoD of the concerned tender inviting department at CIL/Subsidiary in consultation with e-Procurement Cell regarding conformity with e-procurement portal software Concerned Technical Department (CTD). Such NIT will be approved by concerned Director of CIL/Subsidiary Companies.

### Pre-Tender activities

a) Architectural and structural drawings: Architectural and structural drawings (fit for construction) are among the core requirements for projects. Finalization of these drawings at the earliest, preferably at the time of preparation of the cost estimate itself, can help to determine quantities of various items of the work. Adverse consequences of not preparing these drawings before invitation of tenders may manifest in the form of delay in execution of the work and deviations in quantities of the items of work. Hence, approved architectural and structural drawings should be available before invitation of tenders. Fit for construction (sometimes called Good for construction) drawings means the architectural and structural drawings approved by the project executing authority as well as be by the authority governing the extant rules / laws, including byelaws, such as local authorities.

b) Pre-Notice inviting Tender (NIT) Conference: In complex and innovative procurement cases or where the procuring entity may not have the required knowledge to formulate tender provisions, a pre-NIT conference may help the procuring entity in obtaining inputs from the industry. Such conferences should be widely publicised so that different potential suppliers can attend.

c) Empanelment of contractors: Public authorities may empanel/ register contractors of those specific goods and services which are required by them regularly. Performance of such empanelled contractors should be reviewed periodically. The list of registered contractors shall be updated on a regular basis. The category/class of contractors may be upgraded/ downgraded or contractors may be de-listed based on their performance. Empanelment of contractors shall be done in a fair and equitable manner, preferably online after giving due publicity. The practice of inviting bids for works tenders only from empanelled contractors may be confined to tenders up to certain threshold value, as decided by the project executing authorities.

**8.4**The Tenders for Turnkey Contract shall be dealt as per “Works” tenders with two part system and customized NITs shall be made by user department as per need. If required Technical Parameter sheets (TPS) can be used additionally for these tenders. TPS can also be used in any other Works or Service tender as per specific requirement of the tender with the approval of Competent Authority as per this clause as explained above.

**8.5** There will be standard GTE Templates available on the e-Procurement portal which will be uniformly followed across all the Areas & Headquarter of CIL/Subsidiary. The standard GTE Templates will be framed by the tender inviting department at CIL/Subsidiary, HQ in consultation with e-Procurement Cell and shall be circulated to all Areas of CIL/Subsidiary by the concerned HoDs at CIL/Subsidiary HQ.

**8.6 Tender documents:**

- a) The document is the fundamental document in the public procurement process as after award of the contract it becomes part of the contract agreement. All necessary provisions governing the contract should be clearly provided in the tender document. Examples are technical specifications, drawings, commercial terms and conditions including payment terms, obligations of the procuring entity and the contractor, timeframe/milestones for execution of the project, tax implications, compliance framework for statutory and other norms, reporting on progress/ quality of the work, dispute resolution. Provisions/clauses in the tender document should be clear to avoid differences in interpretation of possible time overrun, cost overrun and a quality compromise. Comprehensive survey & soil investigation report, area grading & mapping of underground facilities, where project is to be executed, may be made available and, made part of tender document. Model Tender Documents issued by the Coal India Ltd (CIL) may be used, with due customisation.
- b) In tenders containing General Conditions of Contract (GCC), additional/special conditions to be incorporated in the tender document, shall be need based and specific. The GCCs should not be altered and changes, if any, in conditions of contract should only be made through the Special Conditions of Contract.
- c) Identification of milestones may be done in as optimal and sequential manner and the same may be stipulated in the tender document along with enabling provisions.
- d) Payment terms prescribed in the tender document should be such that the payment made to contractors at every stage is commensurate to quantum of work done, subject to any requirements for initial mobilisation.
- e) Procuring entities may issue instructions regarding appropriate delegation of authority for approval of deviations, variations and changes in the scope of the contract.
- f) Provision of price variation, wherever considered appropriate, as well as methodology for calculation of the same shall be clearly stipulated in the tender document.
- g) Quality Assurance Plan (QAP) may be incorporated in the tender document/ contract. Schedule of visit by various levels of officials should also form part of the QAP.
- h) Technical and Financial eligibility Criteria for the bidders are important in the public procurement process. They shall be clear and fair, having regard to the specific circumstances of the procurement. Appropriate parameters should be prescribed in the eligibility criteria for bidders, to enable selection of the right type of bidders in public interest, balancing considerations of quality, time and cost.
- i) Open online tendering should be the default method to ensure efficiency of procurement. Public authorities should also keep the experience criteria broad based so that bidders with experience in similar nature of works in various sectors can participate.
- j) Pre-bid conference may be conducted for large value tenders by Procuring Entities. The Place and time of pre-bid conferences should be mentioned in the tender document and/or publicized through newspaper publication.

**9. I. PROFORMA FOR UNDERTAKING TO BE ACCEPTED UNCONDITIONALLY BY BIDDER/S FOR GENUINENESS OF THE INFORMATION FURNISHED ONLINE AND AUTHENTICITY OF THE DOCUMENTS UPLOADED ONLINE IN SUPPORT OF HIS ELIGIBILITY :( TO BE ACCEPTED THROUGH GTE)**

**FORMAT OF UNDERTAKING**

We solemnly declare that:

1. I/We am/are submitting Bid for the work ..... against Tender id No.(*to be entered by TIA*) ..... Dated..... and I/we offer to execute the work in accordance with all the terms, conditions and provisions of the bid.
2. All information furnished by us in respect of fulfilment of eligibility criteria and qualification information of this Bid is complete, correct and true.
3. All copy of documents, credentials and documents submitted along with this Bid are genuine, authentic, true and valid.
4. I/ We hereby authorize department to seek references / clarifications from our Bankers.
5. We hereby undertake that we shall register and obtain license from the competent authority under the contract labour (Regulation & Abolition Act) as relevant, if applicable.
6. I/We have not been debarred by any procuring entity for violation of Preference to Make in India (as applicable) vide Order No. P-45021/2/2017-PP (BE-II) dated 16.09.2020, issued by Govt. of India as amended from time to time.
7. I/We do not have relationship with any other participating Bidders, directly or through common third parties, that puts us in a position to have access to information about or influence on the bid of another Bidder.
8. I/We or any of my/our affiliate has/have not participated as consultant in the preparation of the design or technical specification of the contract that is the subject of the bid.
09. **Bid Security Declaration:** If I/we withdraw or modify our bid during the period of validity, or if I/we are awarded the contract and I/we fail to sign the contract, or to submit a performance security before the deadline or any other default which attracts forfeiture of EMD (as prescribed in the existing manuals) as defined in the request for bids document, I/we will be banned for two years from being eligible to submit Bids in CIL and its subsidiaries.(*Applicable for tenders to be invited upto 31.12.2021*)
10. If any information and document submitted is found to be false/ incorrect at any time, department may cancel my/our Bid and action as deemed fit may be taken against me/us, including termination of the contract, forfeiture of all dues and banning of our firm and all partners of the firm etc as per the tender document.

**Note:** *Tender specific or for a particular category of tender, relevant Clauses may be added/modified/substituted while framing the standard NIT*

**9. II. PROFORMA FOR UNDERTAKING TO BE UPLOADED BY BIDDER/S (ON THEIR LETTER HEAD) REGARDING RELATIVES AS EMPLOYEES OF COMPANY, ARBITRATION CLAUSE (IN CASE OF PARTNERSHIP FIRM/JV), LOCAL SUPPLIER STATUS OF THE BIDDER ETC.:**

**PROFORMA FOR UNDERTAKING**

**(To be uploaded by the Bidder on his Letter Head during submission of bid online)**

I / We, ....., Proprietor/Partner/Legal Attorney/Director/ Accredited Representative of M/s. ...., solemnly declare that:

1. Myself/Our Partners/Directors don't has/have any relative as employee of **Coal India Limited.**

**OR**

The details of relatives of Myself/Our Partners/Directors working as employee of Coal India Limited is as follows:

- a) Name of the employee
- b) Place of posting
- c) Department
- d) Designation
- e) Type of relation - Wife/Husband/ Father/ Step-Father/Mother / Step-Mother/ Son/Step-son/ Son's wife / Daughter / Daughter's Husband / Brother/ Step-Brother/ Sister / Stet-Sister.

2. \*I/We hereby confirm that we have registration with CMPF / EPF Authorities. We shall make necessary payments as required under law.

Or

\*I/We hereby undertake that we shall take appropriate steps for registration as relevant under CMPF / EPF authorities, if applicable. We shall make necessary payments as required under law.

**\* Delete whichever is not applicable.**

3. \*\* I/We have not been banned or delisted by any Govt., or Quasi Govt. Agencies or PSUs.

Or

\*\*I / We .....have been banned by the organization named “ \_\_\_\_\_ ” for a period of..... year/s, effective from ..... to.....

**\*\* Delete whichever is not applicable.**

4. We,.....  
.....(Name of Partners of Partnership Firm/Joint Venture), partners of  
.....(Name of Partnership Firm/Joint Venture) hereby consent to abide by the relevant provisions of General Terms and Conditions of CMM/MCEW pertaining to arbitration.

**(Applicable in case of Partnership firm/Joint Venture)**

5. We certify that the works/services offered by us against the tender for the work “..... (Name of work)” against NIT No/Tender ID. ....  
Dated....., meet the minimum local content requirement and has local content:

\* Equal to or more than 50% (Select this, in case of Class-I Local Suppliers) i.e.....% (indicating the percentage of local content)

\* More than 20% but less than 50% (Select this, in case of Class-II Local Suppliers) i.e.....%  
(indicating the percentage of local content)

**\*Delete whichever is not applicable.**

**Note:** If the estimated value of procurement is more than Rs. 10 crores, all the Bidders shall submit along with this Undertaking, a certificate (with UDIN) from the statutory auditor or cost auditor of the company (in case of companies) or from a practicing cost accountant or practicing chartered account (in respect of suppliers other than companies) giving the percentage of local content.

**6. Certificate regarding compliance to order no.F.No.6/18/2019-PPD dt 23/7/2020 as amended from time to time of Ministry of Finance, Dept of Expenditure, Public Procurement Division with respect to restrictions on procurement of goods, services or works from a Bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries - I/we have read the Clause regarding restrictions on procurement from a Bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries; I/we certify that I am/ we are not from such a country or, if from such a country, has/have been registered with the Competent Authority and will not sub-contract any work to a contractor from such countries unless such contractor is registered with the Competent Authority. I hereby certify that I/we fulfil all requirements in this regard and I am/ we are eligible to be considered.**

**Note:** Where applicable, evidence of Competent Authority shall be attached along with this Undertaking.

7. If any information and document submitted is found to be false/ incorrect at any time, department may cancel my/our Bid and action as deemed fit may be taken against me/us, including termination of the contract, forfeiture of all dues and banning of our firm and all partners of the firm etc as per the tender document.

**Note:** *Tender specific or for a particular category of tender, relevant Clauses may be added/modified/substituted while framing the standard NIT*



**10. PROFORMA FOR LETTER OF BID TO BE ACCEPTED UNCONDITIONALLY BY BIDDER DURING SUBMISSION OF BID ONLINE : (TO BE ACCEPTED THROUGH GTE)**

**FORMAT OF “Letter of Bid” (for Works & Services Tenders)**

**LETTER HEAD OF BIDDER (As enrolled on the e-Procurement Portal of CIL)**

To,  
The Tender Inviting Authority  
.....Coalfields Limited

Sub. : Letter of Bid for the work “-----“ (to be filled by the department)

Ref. : 1. NIT No.: “-----“ (to be filled by the department)

2. Tender Id No. : “-----“ (to be filled by the department)

Dear Sir,

This has reference to above referred bid. I/we have read and examined the conditions of contract, Scope of Work, technical specifications, BOQ and other documents carefully.

I /We am/are pleased to submit our bid for the above work. I/We hereby unconditionally accept the bid conditions and bid documents as available in the website/e-Procurement portal, in its entirety for the above work and agree to abide by and fulfill all terms and conditions and specifications as contained in the bid document.

I/we here by submit all the documents as required to meet the eligibility criteria as per provision of the bid notice/document.

I/We hereby confirm that this bid complies with the Bid validity, Bid Security and other documents as required by the Bidding documents.

If any information furnished by me/us towards eligibility criteria of this bid is found to be incorrect at any time, penal action as deemed fit may be taken against me/us for which I/We shall have no claim against CIL/Subsidiary.

Until a formal agreement is prepared and executed, this bid and your subsequent Letter of Acceptance/Work Order shall constitute a binding contract between us and .....( *To be filled up by Department*) Coalfields Ltd.

Should this bid be accepted, we agree to furnish Performance Security within stipulated date and commence the work within stipulated date. In case of our failure to abide by the said provision .....( *To be filled up by Department*) Coalfields Ltd. shall, without prejudice to any other right or remedy, be at liberty to “cancel the letter of acceptance/ award and to forfeit the Earnest Money and also debar us from participating in future tenders for a minimum period 12 months” OR to act as specified in the NIT.

## 11. THE DUTIES AND RESPONSIBILITIES:

The following *Roles* have been identified for the departmental users, which are to be executed with valid Digital Signature Certificate:

- a. **CREATOR OF TENDER:** The role of CREATOR will be assigned to the tender dealing officer. The CREATOR will have the privilege of online creation of Tender on the e-Procurement portal of CIL, based on the approved and financially concurred Estimate/Indent. CREATOR will be responsible for timely and accurate creation of tender on the e-Procurement portal with his Digital Signature Certificate.
- b. **PUBLISHER OF TENDER:** The role of PUBLISHER will be assigned to the HoD (Head of the Department) of the tender inviting department. The PUBLISHER will have the privilege of online publication of the tenders created on the e-Procurement portal of CIL, based on the approved and financially concurred Estimate/Indent. PUBLISHER will be responsible for timely publish of tender after due scrutiny of created tenders on the e-Procurement portal with his Digital Signature Certificate.
- c. **OPENERS OF TENDER:** The role of OPENER will be assigned to the members of Tender Committee only. The tender will be decrypted and opened with the Digital Signatures Certificate of Bid Openers as identified during creation of the tender. OPENERS will be responsible for decryption and opening of tender on the pre-scheduled date & time, on the e-Procurement portal with his Digital Signature Certificate.
- d. **EVALUATOR OF TENDER:** The role of EVALUATOR will be assigned to the member of Tender Committee from the tender inviting department. The Evaluator will have the privilege to enter and upload the decision of the Tender Committee in the e-Procurement portal. EVALUATOR will be responsible for timely and accurate evaluation of tender on the e-Procurement portal in compliance with the decision of Tender Committee, with his Digital Signature Certificate.
- e. **AUDITOR OF TENDER:** The role of AUDITOR will be assigned to all the departmental users. The AUDITOR will have the privilege of online viewing of the entire tendering process after opening of bid till award of contract. AUDITOR can only view the tender information and documents but cannot do any editing.
- f. **SYSTEM ADMIN/ APPLICATION ADMIN/ NODAL OFFICER:** The role of SYSTEM ADMIN, APPLICATION ADMIN & NODAL OFFICER will be assigned to the executives of e-Procurement Cell for online User Management and Administration of e-Procurement Application.
- g. **SUPPORT ADMIN:** This new role of “Support Admin” will be granted to the executives of Finance Dept who will be responsible for maintaining the accounts related to refund of EMD. He will operate the Central Pool account of CIL/Subsidiary. This role will have the following roles and privileges:
  - i. Access to Reports relating to transactions of Pool account
  - ii. Access to Reports relating to the refund transactions initiated from Pool account.
  - iii. Access to Reports relating to the EMD transfers from Pool account to Dept Account
  - iv. Access to Reports relating to the status of refund transactions made through Axis Bank.
  - v. Access to Reports relating to the EMD transactions received from Bidders after online rejection of the Bidder

- vi. Privilege to transfer EMD amount from Pool Account to Department Account.
- vii. Privilege to authorize refund of the transactions which could not be processed automatically at the time of rejection.

**Note:**

- i. The departmental users will be responsible for timely renewal of their DSC.
- ii. For Tender management, one Individual may have multiple Roles (Creator/ Publisher/ Opener/ Evaluator/ Auditor).
- iii. For User management, one Individual will have single Role (System Admin/Application Admin/Nodal Officer)
- iv. Officials of e-Procurement Cell may be assigned with the role of Creator/Publisher/Opener/Evaluator /Auditor/ Bidder for the limited purpose of testing and training to the departmental users and Bidders.

## **12. SPECIAL SITUATIONS:**

- a. **User on Leave/Tour:** If an executive is on Leave/Tour, his/her DSC will not be used by any other person. It is advisable that “Two out of Three” or “Two out of Four” option for Bid Openers should be selected in general, so that the bid opening process does not get suffered due to temporary absence of any Bid Opener. However, the concerned executive, on his/her discretion may use his/her DSC for decryption and opening of bid from the place of stay during such period of his/her leave/tour.
- b. **Transfer of User:** If an executive is transferred to a new place, he will carry his/her DSC to the new place of posting and his/her organizational place will be reallocated by e-Procurement Cell on a written request from the executive concerned. It will be the responsibility of the executive concerned to inform the e-Procurement Cell, immediately after his/her joining at the new place of posting, for mapping of his/her profile to new location. However, if the executive is having some pending job of Bid opening for any tender floated from his/her previous place of posting, he/she will be responsible to open such tenders at scheduled date from his/her new place of posting.
- d. **Superannuation of User:** If an executive is superannuated, he/she will carry his/her DSC with him. However, if the executive is having some pending role of bid Opener for any tender in CIL/Subsidiary, he/she will be responsible to open such tenders at scheduled date from his/her place of residence. After opening of all such tenders, the profile of User will be blocked in the e-procurement portal of CIL.
- e. **Loss of DSC:** In case the Digital Signature Certificate is lost or misplaced, FIR/Diary should be lodged/made by the concerned executive and e-Procurement cell should be informed immediately with a copy of FIR/Diary. Effort will be made to obtain another copy of DSC from the DSC provider and till such period the date of opening of Tenders in which he/she has already been assigned the role of Bid Opener will have to be extended, if required. In case it is not possible to prepare a copy of the DSC due to any reason, then the Tender, which are yet to be opened may have to be cancelled and re-tendered, if other bid openers also fail to open the bid.
- f. **Change of Role:** For any change of role of departmental user, a written request by the HOD of the concerned department shall be sent to e-Procurement cell/Nodal officer.

## **13. SYSTEM OF ONLINE COLLECTION AND AUTO RESETTLEMENT/ REFUND OF EMD:**

1. EMD will be collected centrally at one account at CIL/Subsidiary HQ viz. Pool Account.
2. Bidder will be allowed to submit his/her bid only after his/her EMD is received by CIL/Subsidiary.

3. EMD of rejected Bidders will be refunded at any stage directly to the account from where it had been received (except the Bidders whose EMD is to be forfeited). Refund will be made by an automatic process triggered by the online rejection of bids by the system/evaluator. The Bidders should be given enough precaution in the NIT that Bidder should make payment from their own account and any claim for non-receipt of the refund in any account other than the one from which payment of EMD is made, will not be entertained.
4. If the refund of EMD is not received by the Bidder in the account from which the EMD has been made due to any technical reason then it will be paid through e-payment as per the prevalent manual system.
5. At appropriate stage of tender evaluation the EMD which is to be retained will be resettled to the respective Area Account by the system automatically.
6. EMD will be received through online modes only.
7. In case of online payment the Evaluator will not have option to override the evaluation done by the system w.r.t. EMD receipt.
8. Cash Book and other financial accounting will be done based on the system generated reports/ Reports from user department/ Bank statements.
9. Suitable modifications in the standard NITs will be required to accommodate these changes.

## **14. Standard Operative Procedure (SOP) for managing the cases of Withdrawal of Bids in e-Procurement System of CIL/Subsidiary**

### **I. The Mode of Withdrawal:**

#### **A. Online Withdrawal of Bids:**

- a. The system of online withdrawal is available on the portal up to end date of bid submission, where any Bidder can withdraw his/her bid which will attract no penal action from department side.
- b. The system of online withdrawal beyond end date of bid submission and till award of contract is also available but not fully functional and under development stage. Once it is developed and implemented only online withdrawal shall be considered except for some exceptional cases as mentioned in clause below.

#### **B. Offline Withdrawal of Bids:**

- a. A partner of Bidder (in case of JV and partnership firms) whose DSC is registered on the e-Procurement portal can access the portal for online withdrawal but when there is a split in the business relationship, the partners whose DSC is not registered on the portal do not have the option of online withdrawal of bid. Hence such partners may opt to use offline method of withdrawal of his/her offer (or express his disassociation from the Bidder organization).
- b. Till a fully functional system of online withdrawal of bid (beyond end date of bid submission and till award of contract) is not developed and implemented, offline withdrawal shall also be considered.

## **II. Acceptance of withdrawal by Tender Committee:**

**A.** Every case of withdrawal under Clause I-(A)(b) and Clause I-(B) shall be put up to Tender Committee for deliberation and further course of action.

**B.** The Tender Committee shall apply its due diligence to decide:

- a. Whether the request for withdrawal of offer has been received from right source and authentic. For this purpose a letter is to be sent by registered post/speed post to the Bidder on the address as given by him in the enrollment page of e-Procurement portal, allowing 10 days' time to confirm the withdrawal. If the Bidder does not confirm the withdrawal within the stipulated period then it should be construed that there is no withdrawal of bid. In case the withdrawal/disassociation from the firm (Joint Venture or Partnership firm) has been submitted by any other partner then also the confirmation has to be sought from the Bidder and if Bidder wants to deny the withdrawal/disassociation from the JV or the partnership firm then the Bidder shall be required to furnish a legally acceptable document signed by all the partners of the firm to substantiate his claim.
- b. Whether the withdrawal is due to the reason other than to support any mala fide intention of any participating Bidder such as participating or supporting a cartel formation etc.
- c. If the mala fide intentions in the withdrawal are apprehended then the tender should be cancelled apart from other penal action as per e-Procurement Manual for works and services of CIL and other guidelines/manuals of CIL.
- d. If no mala fide intentions in the withdrawal are apprehended then the penal action in line with the prescriptions of the e-Procurement Manual for works and services of CIL will be applicable.
- e. The Tender Committee may also obtain the opinion of legal department in order to ascertain the legal course of action in case of Clause II-(B)(b) and II-(B)(c) above.

**III.** The SOP shall be a part of e-Procurement Manual for Works and Services and the NIT documents shall be framed in line with the SOP

**15.** The verification of Document from source shall be done only in case of complaints received or on suspicion. This should be done either through speed post or through electronic communication. No anonymous/pseudonymous complaints shall be entertained.

Note: - *Not to be part of Tender Document*

### **16. Guidelines for Banning of Business**

CIL and its Subsidiary Companies shall follow the following guidelines for effecting 'Banning of Business' with a contracting entity in respect of Works and Services Contracts.

1. Observance of Principle of Natural Justice before banning the business dealings with any contracting entity.
2. The contracting entity may be banned in the following circumstances: -
  - i) If Bidder backs out after notification of opening of price bid and if that Bidder is found to be L-1.
  - ii) If L-1 Bidder fails to submit PSD, if any and/or fails to execute the contract within stipulated period.
  - iii) If L-1 Bidder fails to start the work on scheduled time.
  - iv) In case of failure to execute the work as per mutually agreed work schedule.
  - v) Continued and repeated failure to meet contractual Obligations:

- a. In case of partial failure on performance, agency shall be banned from future participation in tenders keeping his present contract alive.
  - b. On termination of contract.
  - vi) Willful suppression of facts or furnishing of wrong information or manipulated or forged documents by the Agency or using any other illegal/unfair means.
  - vii) Formation of price cartels with other contractors with a view to artificially hiking the price.
  - viii) The contractor fails to maintain/repair/redo the work up to the expiry of performance guarantee period, when it is specifically brought to his notice.
  - ix) Contractor fails to use Mobilisation advance given to him for the purpose it was intended.
  - x) Contractor fails to renew the securities deposited to the department.
  - xi) The contractor fails to rectify any lapse(s) in quality of the work done within defect liability period.
  - xii) Transgression of any clause(s) relating to Contractor's obligation defined in the Integrity Pact wherever such Pact exists.
  - xiii) Any other breach of Contract or misdeed which may cause financial loss or commercial disadvantage to the Company.
3. Such 'Banning of Business', if and when effected, shall be with prospective effect only. The effect of 'Banning of Business' shall be for future tenders from the date of issue of such Order. However, if any contracting entity is banned after online notification of opening of Price Bid, such a ban will not be effective for that work.
  4. The banning shall be for a minimum period of one year and shall be effective for the concerned Subsidiary for the tenders invited at Subsidiary level. Similarly, in case of tenders of CIL HQ, banning shall be for CIL HQ. However, if such 'Banning of Business' has to be made effective for entire CIL and its Subsidiaries then approval of Chairman, CIL shall be required. In case of clause 16(2)(vi) above, minimum period of banning shall be 05 (Five) years for work covered under Chapter 3 & 6 of CMM.
  5. Once a contracting entity is banned, it shall be extended to the constituents of that entity, all partners in case of Joint Venture, all the partners in case of Partnership Firm, owner/proprietor in case of Proprietorship Firm and all the Directors in case of Limited Company. If such banned owner/Proprietor/ Partner/Director make/form different Firms/entity and attempts to participate in tenders, the same will not be entertained during the currency of such banning.
  6. The above 'Banning of Business' shall be in addition to other penal provisions of NIT/Contract document.
  7. **Approving Authority:** The 'Banning of Business' of a contracting entity shall be done with the approval of the Competent Authority as per the details below:
    - a) In case the Accepting Authority of the work is Board or Empowered Committee or FDs or CMD of CIL/Subsidiary Company, then the Competent Authority for banning shall be CMD of CIL/Subsidiary Company.
    - b) In case the Accepting Authority of the work is up to the level of Director of CIL/Subsidiary Company, then the Competent Authority for banning shall be Director of CIL/Subsidiary Company.
  8. Appellate Authority shall be one Rank higher than the Competent Authority meant for 'Banning of Business'. In case the banning is done with the approval of CMD of the Subsidiary Company then Chairman, CIL shall be the Appellate authority.
  9. Any change on the above may be done with approval of FDs of CIL.

10. All the orders of banning or orders passed in appeal shall be marked to GM(CMC) / Civil / concerned HODs of CIL/Subsidiary Company. Further, all such orders will be uploaded in Coal India site as well website of the Subsidiary Company.

11. Efforts shall be made by the concerned Department so that such order is linked to e-tender portal of Coal India Limited.

### **17. Procurement through GeM for Services**

(i) The guidelines issued by GeM/Gol from time to time through Notification/ Circular/ Office Memorandum will be followed for procurement through GeM, even if the same are either not specially indicated in the Contract Management Manual (CMM) Chapter - 2, 3 & 6 and Manual for Civil Engineering Works (MCEW) of CIL or not in line with the provisions of CIL's CMM Chapter - 2, 3 & 6 and MCEW.

(ii) The other provisions which are not mandated by GeM portal shall be guided as per respective Manuals/ Guidelines.

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# CHAPTER-II



# e-PROCUREMENT FOR WORKS AND SERVICES

## 1. CREATION OF TENDER

- 1.1 **Tender** for the approved and financially concurred estimates will be created online by tender dealing officer (CREATOR) of the concerned tender inviting department indicating all the salient details such as description of work, estimated value, period of work, bid validity period, date of pre-bid meeting (if required), start date and last date & time of submission of bid, period for seeking clarifications online by the Bidder, date and time of opening of Technical bid, etc. and by uploading Notice Inviting Tender (NIT) and Terms & Conditions of contract. The User Portal Agreement (Refer Cl. No.7 of Chapter-I) shall be a part of NIT and will be uploaded under NIT document during online creation of tender. The format of “Letter of Bid (LoB)” will also be uploaded under NIT document during online creation of tender. For tenders of Estimated Cost Value (ECV) below Rs.50 Lakh shall be created as Single Stage Single Part Single Cover Tendering Process (In case of Auto Tendering Process (ATP) mode it may be Single Part Two Cover) and for tenders having ECV Rs.50 Lakh & above shall be created as normal tendering process as Single Stage Two-Part Two Cover Tendering Process. For Two Stage tendering in special case, eProcurement Cell has to be consulted for creating such provision.
- 1.2 **GTE Templates:** There will be tender specific standard GTE Templates available on the e-Procurement portal. While creating a tender the latest and appropriate GTE template is to be selected.
- 1.3 **Bid Openers:** While creating the tender the “Bid Openers” will be identified who will be essentially from the Tender Committee. The maximum number of bid opener will be four and the minimum number will be two. It is advisable that “Two out of Three” or “Two out of Four” option for Bid Openers should be selected in general. In case of Tenders floated by any department at CIL/Subsidiary HQ., the Bid Openers will be the executives posted at CIL/Subsidiary HQ. only. In case of Tenders floated by Area, the Bid Openers will be the executives posted at Area office only and in case of Tenders floated by Project, the Bid Openers will be the executives posted at Project office only.
- 1.4 **Pre bid Meeting:** Pre-bid meeting in compliance with different manuals of CIL may take place, if required, after publication of Tender but in any case at least 1 (one) day before the start date of Bid submission. If a Pre Bid meeting is held then the minutes of the Pre-Bid meeting shall be uploaded on the Portal, before start date of bid submission which can be viewed by all interested Bidders.
- Note (Not to be part of tender document): -**
- Any significant change in condition necessitated from Pre-Bid meeting shall require approval of respective FDs and subsequently, Tender schedule shall be shifted to a date 15 days beyond the date on which changed condition is uploaded.
- 1.5 **Independent External Monitor (IEM):** In each tender having Estimated value above a threshold limit, an Independent External Monitor (IEM) is to be nominated as per Integrity Pact. IEM’s name and address is to be given in the NIT as well as in the online creation of tender and the Integrity Pact will be a part of the NIT document. (the threshold limit for integrity pact will be decided as per the existing policy of the Company)
- 1.6 **Start date & End date of Bid submission:** The bid submission will start from the next day of e-publication of NIT, but if there is a pre-bid meeting, bid submission will start on the next day of pre-bid meeting. For online submission of bid the Bidders should get minimum 15 (fifteen) days time (15x24 hours) for the tenders having ECV of Rs.50 lakhs & above and minimum 10 days time (10x24 hours) for the tenders having ECV of less than Rs.50 Lakhs. For the Global tenders this period will be minimum 30 days (30x24 hours). For the Single/Limited Tender Enquiries this period will be minimum of 7 days (7 X 24 Hours).”.

If number of bids received online is found to be less than three on end date of bid submission then the following critical dates of the Tender will be automatically extended for a period of four days ending at 17.00 hrs:

- Last date of submission of Bid
- Last date of receipt of EMD
- Date of opening of Tender

If any of the above extended Dates falls on Holiday i.e. a non-working day as defined in the e-Procurement Portal then the same is to be rescheduled to the next working day.

This extension will be also applicable in case of receipt of zero bid.

**Notes:**

1. The validity period of tender should be decided based on the final end date of submission of bids.
2. The auto extension shall work on the basis of number of bids received only. (It may so happen that any of these bids may be eventually rejected during Tender Opening, Technical evaluation or further process of evaluation resulting the total number of valid bids becoming less than three.)
3. After extension, the tender shall be opened irrespective of available number of bids on the extended date of opening of tender.
4. For Two Part System, the date of opening of Bid of Part-I and Part-II shall be mentioned in the NIT. However, in case opening of Part-II is not possible on pre-defined date as mentioned in the NIT then approval of TAA shall be taken.  
(When TAA is CMD then with the approval of concerned Director and in case the TAA is above CMD (i.e. FDs/Empowered Committee/Board) then with the approval of CMD. In case TAA is below CMD, then approval of respective TAA is required.)

**1.7 Bid Validity Period:** Bid Validity Period for “Works and Services” tenders will be 120 days from the End Date of bid submission.

**1.8 Seeking Clarification by Bidder:** The Bidder may seek clarification online within the specified period. The identity of the Bidder will not be disclosed by the system. The department will clarify as far as possible the relevant queries of Bidders. The clarifications given by department will be visible to all the Bidders intending to participate in that tender. The clarifications may be asked from the day of e-Publication of NIT. The period for seeking clarification by Bidder will be up to 7 (seven) days before the end date of bid submission. The replies to clarifications sought by Bidders should be given by the department at least 2 (two) days before the end date of bid submission.

In exceptional cases where a large number of queries from Bidders are expected, the period for seeking clarification may be kept maximum upto 15 (fifteen) days before the end date of bid submission, but the minimum period given to the Bidders for seeking clarification should not be less than 10 (ten) days in such cases.

The Tender Inviting Authority will be responsible for replying/responding to the clarifications online within the prescribed time frame. However, if the Tender Inviting Authority feels that the query is of such a nature that advice of tender committee or any other authority is required to give clarification, he may do so to reply the queries within the prescribed time limit. The queries of Bidders clarified online and also unanswered queries of Bidders shall be referred in the TCR.

**1.9 Format of Letter of Bid:** There will be standard format of “Letter of Bid” in which the Name of work, NIT No. & Tender Id will be entered by Tender Creator and the same will be uploaded as a separate NIT document during online creation of tender.

**1.10 Format of Price bid:** Standard templates of “Price-bid/BoQ” for Item Rate and Percentage Rate tenders will be available on the e-Procurement portal. Here the Bidder will have to quote for all the tendered items and L-1 will be decided on overall quoted value. The Price-bid will be framed in the standard latest BoQ

template downloaded from e-Procurement portal and the same will be protected with Password and will be uploaded during online creation of tender.

- 1.11 **Downloading of Tender document:** The Tender document can be downloaded by any prospective Bidder from the e-Procurement portal free of cost. The download of tender document may start immediately after e-Publication of NIT and shall continue till the last date and time of bid submission.
- 1.12 **Tender ID:** After creation of tender a unique Tender Id is automatically generated by the system. This Tender Id will be referred in all future correspondence or Reports of the tender. This Tender Id should be indicated in the format of “Letter of Bid” uploaded by the Creator.

## 2. PUBLICATION OF TENDER

- 2.1 Tender for the approved and financially concurred estimates will be published on the e-Procurement portal by authorized executives of CIL/Subsidiary with Digital Signature Certificate (DSC). The authorized executive for this purpose will normally be the HoD of the concerned tender inviting department.
- 2.2 The created tenders shall be published on the dedicated e-Procurement portal of CIL and the details will be mirrored in the Central Public Procurement Portal (<http://eprocure.gov.in>) of Govt. of India.
- 2.3 Publication of individual tenders in newspaper and other print media is dispensed with and one common window advertisement by CIL(HQ) and/or Subsidiary HQs may be published in national dailies, regional and local newspapers, once in a fortnight, indicating that all the tenders issued by CIL and its Subsidiaries for procurement of Goods, Works and Services are available on the above portals and that procurement is also done through GeM portal.

Publication of the following Common Window Advertisement in National dailies, regional and local newspapers on fortnight basis may be arranged and also arrange for scrolling of the same on the respective Subsidiary website.

*“All the tenders issued by CIL and its Subsidiaries for procurement of Goods, Works and Services are available on website of Coal India Ltd. [www.coalindia.in](http://www.coalindia.in), respective Subsidiary Company, CIL e-Procurement portal <https://coalindiatenders.nic.in> and Central Public Procurement Portal <https://eprocure.gov.in>. In addition, procurement is also done through GeM portal <https://gem.gov.in>.”*

## 3. CORRIGENDUM TO NIT

Corrigendum should be issued only in exceptional cases. Pre-ponement of date for any event is not permitted.

Issue of Corrigendum shall be guided by circular of CVO CIL vide reference CIL/VIG/2015/33011/01/526 Dated 11.06.2015(available at CIL website under circulars). However, if any significant change in condition is necessitated from Pre-Bid meeting, it shall require approval of respective FDs and subsequently, Tender schedule shall be shifted to a date 15 days beyond the date on which changed condition is uploaded.

If date of submission of tender is to be extended, then the last date of submission of the tender should be suitably extended with reasonable extension of time and to be notified well in advance to allow the intending tenderers adequate/reasonable time period for submission of their tender offers within the notified extended time period.

In case of extension of Bid Submission, the minimum period of extension shall be of ten days.

The maximum extension of period shall be limited as follows:

With the approval of	Maximum Extension w.e.f original end date of bid submission
Tender Inviting Authority	10 to 15 days
Concerned Director	Up to 30 days
Concerned FD	For any significant change in condition necessitated from Pre-Bid meeting, Tender schedule shall be shifted to a date 15 days beyond the date on which changed condition is uploaded.

However, in exceptional situations in case of any disruption of service in eProcurement portal infrastructure or EMD payment infrastructure, for a considerable period, an extension of end date of Bid submission for a period of 1-3 working days may be done after normal resumption of services. Bid opening date will correspondingly be extended. This extension shall be effected by Application Administrator or by the Portal Service Provider for all the tenders which are affected or likely to be affected due to such disruption of services/infrastructure

**The Corrigendum Notice will be published in e-procurement portal only and NIT shall include provision in this respect.**

#### **4. SUBMISSION OF BID:**

- 4.1 The Bidder will submit their bid online. No off-line bid shall be accepted.
- 4.2 The Bidders will have to accept unconditionally the online User Portal Agreement which contains the acceptance of all the Terms and Conditions of NIT including General and Special Terms & Conditions, Integrity Pact and other conditions, if any, along with online undertaking in support of the authenticity of the declarations regarding the facts, figures, information and documents furnished by the Bidder online in order to become an eligible Bidder. No conditional bid shall be allowed/accepted. This User Portal Agreement (Refer Cl. No.7 of Chapter-I) will be a part of NIT/Contract Document.
- 4.3 The Bidders will have to accept unconditionally in GTE (General Technical Evaluation) the Undertaking regarding Genuineness of the information furnished by him on-line & authenticity of the scanned copy of documents uploaded by him on-line in support of his eligibility criteria, declaration w.r.t Make in India order and compliance w.r.t procurement from Bidder of a country which shares a land border with India etc. and Letter of Bid. All such undertakings requiring unconditional acceptance and where no input from Bidder is required in the undertaking shall be included in the GTE Template and shall be accepted by the Bidder during Bid submission.

In the undertaking given by Bidder online through acceptance in GTE, there will be provision for penal action, if any information/declaration furnished online by the Bidder against eligibility criteria is found to be wrong at any stage which changes the eligibility status of the Bidder.

- 4.4 The Bidder will have to make the payment of EMD through online mode only.

In Online mode the Bidder can make payment of EMD either through net-banking from designated Bank/s or through NEFT/RTGS from any Scheduled Bank. In case of payment through net-banking the money will be immediately transferred to CIL/Subsidiary's designated Account. In case of payment through NEFT/RTGS the Bidder will have to make payment as per the Challans generated by system on e-Procurement portal and will have to furnish online the UTR Numbers before submission of bid. Bidder

will be allowed to submit his/her bid only when the EMD is successfully received in CIL/Subsidiary account and the information flows from Bank to e-Procurement system.

In case of exemption of EMD the scanned copy of document in support of exemption will have to be uploaded by the Bidder during bid submission. However, this option is to be enabled only in those cases where the exemption of EMD to some Bidders is allowed as per NIT.

4.5 The EMD for Mining tenders and Tenders for Turnkey Contracts will be as per Contract Management Manual and EMD for Civil, E&M and other tenders will be as per Manual of Civil Engineering Works of CIL and the existing policy of CIL.

4.6 The qualification in bid will also be subject to the receipt and acceptance of EMD (except in case of EMD exempted Bidder) within schedule date and time as mentioned in the NIT.

4.7 The information will be provided by the Bidder by filling up relevant data through a form in an objective and structured manner. The software will use the information provided by the Bidders to evaluate the technical bid automatically.

4.8 For online submission of tender the Bidders will have to upload the following-

1. For One/Single Part System- All the confirmatory documents as prescribed in the NIT and TPS (if applicable) in Cover-I and Price bid in Cover-I/ Cover-II as specified (Both are to be decrypted simultaneously).
2. For Two Part System- All the confirmatory documents as prescribed in the NIT and TPS (if applicable) in Cover-I and "Price-bid" in Cover-II (Both are to be decrypted separately).

In case of EMD exemption, one more document in support of the claim of EMD exemption will have to be uploaded by the Bidder at specified folder.

i). **Letter of Bid:** The Letter of Bid addressed to the Tender Inviting Authority (TIA) will be given in Tender document containing name of the work, NIT No., Tender ID. This will be the covering letter of the Bidder for his submitted bid. The Bidders have to accept unconditionally the Letter of Bid in GTE (General Technical Evaluation) at the time of bid submission. This online acceptance during bidding through GTE shall be construed as submission of LOB by bidder.

ii). **Technical Parameter Sheet (TPS) (If applicable as per standard NIT and compatible with the e-procurement portal):** The Technical Parameter Sheet containing the technical specification parameters for the tendered work/service will be in Excel format (password protected) and will be uploaded during tender creation. This will be downloaded by the Bidder and he will furnish all the required information on this Excel file. Thereafter, the Bidder will upload the same Excel file during bid submission in General Technical Evaluation (GTE). The Technical Parameter Sheet which is incomplete and not submitted as per instruction given above will be rejected.

iii). **Confirmatory Documents:** All the confirmatory documents as enlisted in the NIT in support of online information submitted by the Bidder are to be uploaded in Cover-I or through "My Document" link in Bidder space by the Bidder while submitting his/her bid.

iv). **Price bid:** The Price bid containing the Bill of Quantity will be in .xls format (password protected) and will be uploaded during tender creation. This will be downloaded by the Bidder and he will quote the rates for all items on this Excel file. Thereafter, the Bidder will upload the same Excel file during bid submission in Cover-I/ Cover-II, as specified for One Part system and in Cover-II for Two Part system. The Price-bid will be in Item Rate or Percentage Rate BOQ or Mixed Rate BOQ format and the Bidder will have to quote for all the tendered items and the L-1 will be decided on overall quoted value (i.e. Cost to company). The Price-bids of the tenderers will have no condition. The Price Bid which is incomplete and not submitted as per instruction given above will be rejected.

- v). However, in case of tenders having provision for exemption of EMD, the Bidder claiming for exemption will have to upload the requisite document as specified in NIT in support of their claim for exemption of EMD.

#### 4.9 Deleted

**4.10 Modification and withdrawal of Bid:** Modification of the submitted bid shall be allowed online only before the deadline of submission of tender and the Bidder may modify and resubmit the bid online as many times as he may wish.

Bidders may withdraw their bids online within the end date of bid submission and their EMD will be refunded. However, if the Bidder once withdraws his bid, he will not be able to resubmit the bid in that particular tender. For withdrawal of bid after the end date of bid submission, the Bidder will have to make a request in writing to the Tender Inviting Authority. Withdrawal of bid may be allowed till issue of work order/LOA with the following provision of penal action:

##### I. For One Part System-

The penal actions are-

1. the EMD will be forfeited and
2. the Bidder will be debarred for minimum one year from participating in tenders in CIL/Subsidiary.

The Price-bids of all eligible Bidders including this Bidder will be opened and action will follow as under:

- i). If the Bidder withdrawing his bid is other than L-1, the tender process shall go on.
- ii). If the Bidder withdrawing his bid is L-1, then re-tender will be done.

##### II. For Two Part System-

The penal actions are-

1. If the request of withdrawal is received before online notification for opening of price bid, the EMD will be forfeited and Bidder will be debarred for minimum one year from participating in tenders in CIL/Subsidiary. The Price-bid of remaining Bidders will be opened and the tender process shall go on
2. If the request of withdrawal is received after online notification for opening of price bid, the EMD will be forfeited and the Bidder will be debarred for minimum 1 (one) year from participating in tenders in CIL/Subsidiary. The Price-bids of all eligible Bidders including this Bidder will be opened and action will follow as under:
  - i). If the Bidder withdrawing his bid is other than L-1, the tender process shall go on.
  - ii). If the Bidder withdrawing his bid is L-1, then re-tender will be done.

Note:

- i. In case of above penal actions, a letter will be issued to the Bidder by Tender Inviting Authority with the approval of Tender Accepting Authority (When TAA is Board then with the approval of CMD, in case TAA is CMD then with the approval of concerned Director and in case the TAA is above CMD (i.e. FDs/Empowered Committee/Board) then with the approval of CMD. In case TAA is below CMD, then approval of respective TAA is required), stating that the EMD of Bidder is forfeited, and this Bidder is debarred for one year or minimum one year, as the case may be; from participating in tenders in CIL/Subsidiary. This letter will be circulated to all Areas and CIL/Subsidiary HQ and the updated list will be maintained by all Tender Inviting Authority/Evaluators.
- ii. Penal action against clauses above will be enforced from the date of issue of such order.

- iii. The standard operating procedure to handle withdrawal of bid after end date of submission shall be as Clause No. 14 of Chapter I.

4.11 **Tender Status:** It will be the Bidder's responsibility to check the status of their Bid online regularly, after the opening of bid till award of contract. Additionally, information shall also be sent by system generated e-mail and SMS at nodal points (Date of bid opening, Requisition for Clarification on Confirmatory document from L-1 Bidder, award of work etc.). No separate communication will be required in this regard. Non-receipt of e-mail and SMS will not be accepted as a reason of non-submission of Confirmatory documents within prescribed time. This will be specifically mentioned in the NIT. The Tender Status will be in public domain and anyone visiting the site can view it by identifying the tender.

## 5. **OPENING OF BID:**

### 5.1 **For One Part System-**

- 5.1.1 The tender will be opened one day after the Bid submission end date or next working day whichever is later Tender will be decrypted and opened online by the "Bid Openers" with their Digital Signature Certificates on the prescheduled date & time of Tender Opening.
- 5.1.2 All the documents uploaded by L1-Bidder including EMD exemption documents (if any) and the Evaluation sheets generated by the system online shall be downloaded after opening of bid.

### 5.2 **For Two Part System- Opening of Technical Bid-**

- 5.2.1 The Technical bid (Cover-I) will be opened one day after the Bid submission end date or next working day whichever is later. Technical bid (Cover-I) will be decrypted and opened online by the "Bid Openers" with their Digital Signature Certificates on the prescheduled date & time of Tender Opening.
- 5.2.2 All the documents uploaded by Bidder(s) including EMD exemption documents (if any) and the Evaluation sheets generated by the system online shall be downloaded after opening of Technical bid (Cover-I). After decryption and opening of Technical bid (Cover-I) the "technical bid opening summary" will be uploaded on the same day
- 5.3 The e-Procurement System will evaluate the Technical bids automatically on the basis of relevant data provided by Bidder through a form in an objective and structured manner while submitting bid. If the parameter given by Bidder in objective and structured manner does not confirm to required eligibility criteria as specified in the tender document then the bid will be automatically rejected by the system.
- 5.4 Acceptance of Bidder in a general form of online declaration will be recognized and accepted as the certification regarding authenticity of all the information and documents furnished by them online and acceptance of all terms and conditions of the bid document, since such acceptance by Bidder with Digital Signature Certificate is legally tenable.

## 6. **EVALUATION OF TENDER:**

- 6.1 After opening of Tender/ Technical bid (as the case may be), it will be evaluated by the constituted Tender Committee.
- 6.2 **Evaluation of Tender-**

### I. **For One Part System:**

- A. After opening of bid, the documents submitted by L-1 Bidder in cover I as enlisted in the NIT will be downloaded by the Evaluator and shall be put up to the Tender Committee. The Tender Committee will examine the uploaded documents against information/declarations furnished by the L-1 Bidder online. If it confirms to all of the information/ declarations furnished by the Bidder online and does not change the eligibility status of the Bidder then the Bidder will be considered eligible for award of Contract.

- B.** In case the Tender Committee finds that there is some deficiency in uploaded documents corresponding to the information furnished online or in case corresponding document have not been uploaded by Bidder(s) then the same will be specified online by Evaluator clearly indicating the omissions/shortcomings in the uploaded documents and indicating start date and end date allowing 7 days (7 x 24 hours) time for online re-submission by Bidder(s). The Bidder(s) will get this information on their personalized dashboard under “Upload confirmatory document” link. Additionally, information shall also be sent by system generated email and SMS, but it will be the Bidder’s responsibility to check the updated status/information on their personalized dash board regularly after opening of bid. No separate communication will be required in this regard. Non-receipt of e-mail and SMS will not be accepted as a reason of non-submission of documents within prescribed time. The Bidder(s) will upload the scanned copy of all those specified documents in support of the information/ declarations furnished by them online within the specified period of 7 days. No further clarification shall be sought from Bidder.
- C.** The tender will be evaluated on the basis of documents uploaded by L-1 Bidder online. The L-1 Bidder is not required to submit hard copy of any document through offline mode. Any document submitted offline will not be given any cognizance in the evaluation of tender.
- D.** In case the L-1 Bidder submits requisite documents online as per NIT, then the Bidder will be considered eligible for award of Contract.
- E.** In case the L-1 Bidder fails to submit requisite documents online as per NIT or if any of the information/declaration furnished by L-1 Bidder online is found to be wrong by Tender Committee during evaluation of scanned documents uploaded by Bidder, which changes the eligibility status of the Bidder, then his bid shall be rejected and EMD of L-1 Bidder will be forfeited.
- F.** Deleted
- G.** In case the L1 Bidder is technically eligible but rejection is due to high rate quoted by him/her then the tender shall be cancelled and retendered.
- H.** In case the L1 Bidder is rejected due to noncompliance of confirmatory documents then the L-2 Bidder will become L-1 Bidder and confirmatory documents of this Bidder shall be evaluated by TC and the process shall be followed as mentioned in Clause No. A to G above.
- I.** The process as mentioned at Cl. H shall be repeated till the work is either awarded or all the eligible Bidders are exhausted.
- J.** In case none of the Bidder complies the technical requirement, then re-tender will be done (with the same or different quantity, as per the instant requirement).
- K.** Verification of document shall be dealt as per Cl No. 15 of Chapter I. (Not a part of Tender document)
- L.** It is responsibility of Bidders to upload legible/clearly readable scanned copy of all the required documents as mentioned above.

## **II. For Two Part System:**

- A.** After opening of Technical bid, the documents submitted by Bidder(s) in Cover I as enlisted in the NIT will be downloaded by the Evaluator and shall be put up to the Tender Committee. The Tender Committee will examine the uploaded documents against information/declarations furnished by the Bidder(s) online. If it confirms to all of the information/ declarations furnished by the Bidder online and does not change the eligibility status of the Bidder then the Bidder will be considered eligible for opening of price bid.
- B.** In case the Tender Committee finds that there is some deficiency in uploaded documents corresponding to the information furnished online or in case corresponding document have not been uploaded by Bidder(s) then the same will be specified online by Evaluator clearly indicating the omissions/shortcomings in the uploaded documents and indicating start date and end date allowing 7



days (7 x 24 hours) time for online re-submission by Bidder(s). The Bidder(s) will get this information on their personalized dashboard under “Upload confirmatory document” link. Additionally, information shall also be sent by system generated email and SMS, but it will be the Bidder’s responsibility to check the updated status/information on their personalized dash board regularly after opening of bid. No separate communication will be required in this regard. Non-receipt of e-mail and SMS will not be accepted as a reason of non-submission of documents within prescribed time. The Bidder(s) will upload the scanned copy of all those specified documents in support of the information/declarations furnished by them online within the specified period of 7 days. No further clarification shall be sought from Bidder.

- C. It is responsibility of Bidders to upload legible/clearly readable scanned copy of all the required documents as mentioned above.
- D. The tender will be evaluated on the basis of documents uploaded by Bidder(s) online. The Bidder(s) is/are not required to submit hard copy of any document through offline mode. Any document submitted offline will not be given any cognizance in the evaluation of tender.
- E. In case the Bidder(s) submit(s) requisite documents online as per NIT, then the Bidder(s) will be considered eligible for opening of Price Bid.
- F. Seeking clarification shall be restricted to confirmation of submitted document/online information only and it should be only for one time for a period of upto 7 days. The clarification shall be taken in online mode in the e-Procurement portal of CIL only.
- G. The verification of Document from source shall be done only in case of complaints received or on suspicion. This should be done either through speed post or through electronic communication. No anonymous/pseudonymous complaints shall be entertained.

**Note: *Not to be part of tender document***

- H. In case Bidder(s) fails to confirm the online submitted information(s)/ declaration(s) by the submitted documents as (B) above, their/his bid shall be rejected; however, if the confirmatory documents do not change eligibility status of the Bidder in connection his submitted online information(s)/declaration(s), then his/their bid will be accepted for opening of Price Bid.
- I. The price Bid of eligible Bidder in Technical Bid shall be opened with the approval of Tender Approving Authority (TAA\*) based on recommendation of Tender Committee.

**(Note: ‘I’ above not to be part of tender document.)**

\*When TAA is CMD then with the approval of concerned Director and in case the TAA is above CMD level (i.e. FDs/Empowered Committee/Board) then with the approval of CMD. In case TAA is below CMD level, then approval of respective TAA is required.

- J. After Technical evaluation of tender, “Technical Evaluation Summary” will be uploaded by the Evaluator and price bid shall be opened on preschedule date and time mentioned in the NIT online in the e-Procurement portal of CIL. However, in case there is any extension of date and time of price bid opening, it shall be notified online and price bid shall be opened online on e-Procurement portal of CIL at rescheduled date and time.
- K. In case none of the Bidder(s) complies the technical eligibility criteria as per NIT, then Bidder(s) will be rejected online and re-tender (if required) will be done (with the same or different quantity, as per the instant requirement).

### III. The following clauses are applicable for both One Part and Two Part Systems:

A. Procurement from Micro and Small Enterprises (MSEs) shall be applicable for Service Tenders in accordance to the notification of Govt. of India and including its amendment(s) as notified by GoI from time to time-

i) Subject to meeting terms and conditions stated in the tender document including but not limiting to prequalification criteria, 25% of the work will be awarded to MSE as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises (MSME) for the tendered work/item. Where the tendered work can be split, MSE quoting a price within a price band of L1 + 15% shall be awarded at least 25% of total tendered work provided they match L1 price. In case the tendered work cannot be split, MSE shall be awarded full work provided their quoted price is within a price band of L-1 + 15% and they match the L-1 price.

ii) In case of more than one such MSEs are in the price band of L-1 + 15% and matches the L-1 price, the work may be shared proportionately if the job can be split.

If the job cannot be split, then the opportunity to match the L-1 rate of the tender shall be given first to MSE who has quoted lowest rate among the MSEs and the total job shall be awarded to them after matching the L-1 price of the tender, in case the L-1 is other than MSE. If MSE is a L1 Bidder, full work will be awarded to such Bidder. If the MSE who have quoted lowest rate among the MSEs in the price band of L-1 + 15% do not agree to match the rate of L-1 of the tender, then the MSE with next higher quoted rate in the price band of L-1 + 15% shall be given chance to match the rate of L-1 for award of the complete job. This process to be repeated in till work is awarded to MSE or MSE Bidders are exhausted.

iii) Out of the 25% target of annual procurement from micro and small enterprises 3(three) percent shall be earmarked for procurement from micro and small enterprises owned by women. In the event of failure of such MSEs to participate in the tender process or meet the tender requirements and L-1 price, 3(three) percent sub-target so earmarked shall be met from other MSEs.

iv) Out of the 25% target of annual procurement from micro and small enterprises 4(four) percent shall be earmarked for procurement from micro and small enterprises owned by Scheduled Caste & Scheduled Tribe entrepreneurs. In the event of failure of such MSEs to participate in the tender process or meet the tender requirements and L-1 price, four percent sub-target so earmarked shall be met from other MSEs.

v) To qualify for entitlement as SC/ST owned MSE, the SC/ST certificate issued by District Authority must be submitted by the Bidder in addition to certificate of registration with anyone of the agencies mentioned in paragraph (I) above. The Bidder shall be responsible to furnish necessary documentary evidence for enabling CIL to ascertain that the MSE is owned by SC/ST. MSE owned by SC/ST is defined as:

- In case of proprietary MSE, proprietor(s) shall be SC /ST
- In case of partnership MSE, the SC/ST partners shall be holding at least 51% shares in the enterprise.
- In case of Private Limited Companies, at least 51% share shall be held by SC/ST promoters.

vi) Classification of Micro and Small Enterprise are as under:

- a. Micro Enterprise -Enterprise where the investment in Plant and Machinery or Equipment does not exceed One Crore Rupees and Turnover does not exceed Five Crore Rupees.
- b. Small Enterprise- Enterprise where the investment in Plant and Machinery or Equipment does not exceed Ten Crore Rupees and Turnover does not exceed Fifty Crore Rupees.

vii) The MSEs should be registered with District Industries Centers (DICs)/ Khadi & Village Industries Commission (KVIC)/ Khadi & Village Industries Board (KVIB)/ Coir Board/ NSIC/ Directorate of Handicrafts and Handloom or any other body specified by Ministry of Micro, Small & Medium Enterprises (MoMSME) are eligible for availing benefits under the Public Procurement Policy for Micro and Small Enterprise (MSEs) Order, 2012.

viii) The MSEs are required to submit copy of documentary evidence, issued by their registering authority whether they are small enterprise or micro enterprise as per provisions of Public Procurement Policy for Micro and Small Enterprise (MSEs) Order, 2012 with latest guidelines/clarifications provided by MoMSME.

**Note: Not to be a part of tender document**

- a) MSEs shall be allowed to participate in Service tenders in accordance to the notification of Govt. of India and including its amendment(s) as notified by GoI from time to time.
- b) As per clarification received from Ministry of MSME vide F.No.21(12)/2016-MA dated 15<sup>th</sup> June 2018 Works contract are not covered under PP Policy:

**Quote**

**Subject: Clarification regarding Public Procurement Policy-Applicability to Works Contract reg.**

**Kindly refer to your e-mail dated 13.06.2018 along with letter No.GAIL/ND/C&P/CO/MSME /2018-19/01/Rem on the subject cited above.**

**In this context, it is to inform that Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 supersedes all previous order/circular/letter issues by this office relating procurement of goods and services and also to inform you that as per PP Policy-2012, Works contract are not covered under PP Policy.**

**Unquote**

- B. Preference to Make in India (as applicable) vide Order No. P-45021/2/2017-PP (BE-II) dated 16.09.2020, issued by Govt. of India as amended from time to time shall be applicable.**

In terms of the above said policy, purchase preference shall be given to local suppliers in the following manner :

- I.** In the procurement of works which are divisible in nature, the following procedure shall be followed: -
- i) Among all qualified bids, the lowest bid will be termed as L-1. If L-1 is from a Class-I local supplier, the contract for full quantity will be awarded to L-1 at L-1 price by the Purchaser.
  - ii) If L-1 is not a Class-I local supplier, 50% of the order quantity shall be awarded to L-1. Thereafter, the lowest Bidder among the Class-I local suppliers will be invited to match the L-1 price for the remaining 50% quantity subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract for that quantity shall be awarded to such local supplier subject to his matching the L-1 price. In case such lowest eligible Class-I supplier fails to match the L-1 price or accept less than the offer quantity, the next higher Class-I local supplier within the margin of purchase preference shall be invited to match the L-1 price for remaining quantity and so on, and contract shall be awarded accordingly. In case some quantity is still left uncovered on Class-I local supplier, then such balance quantity may also be ordered on L-1 Bidder.

**II.** In the procurement of works which are not divisible, and in procurement of services where the bid is evaluated on price alone, the following procedure shall be followed: -

- i) Among all qualified bids, the lowest bid will be termed as L-1. If L-1 is from a Class-I local supplier, the contract will be awarded to L-1.
- ii) If L-1 is not from a Class-I local supplier, the lowest Bidder among the Class-I local suppliers, will be invited to match the L-1 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 L-1 price.
- iii) In case such lowest eligible Class-I local supplier fails to match the L-1 price, the Class-I local supplier with the next higher bid within the margin of purchase preference shall be invited to match the L-1 price and so on and contract shall be awarded accordingly. In case none of the Class-I local suppliers within the margin of purchase preference matches the L-1 price, then the contract may be awarded to the L-1 Bidder.

Note: The confirmation from the Bidder regarding matching of L1 price may be taken in confirmatory document link of e-Procurement portal by recycling 'Any other document' link.

**Verification of local content :**

- I. If the estimated value of Procurement is less than Rs. 10 crores, all the Bidders at the time of bidding shall submit self-certification indicating the percentage of local content in the offered items.
- II. If the estimated value of procurement is more than Rs. 10 crores, all the Bidders shall submit along with its bid a certificate from the statutory auditor or cost auditor of the company (in case of companies) or from a practicing cost accountant or practicing chartered account (in respect of suppliers other than companies) giving the percentage of local content.
- III. CIL/ Subsidiary may constitute committees with internal and external experts for independent verification of auditor's / accountant's certificates on random basis and in the case of complaints.
- IV. False declarations will attract banning of business of the Bidder for a period up to two year as per the Guidelines for Banning of Business.
- V. A local supplier who has been debarred by any procuring entity for violation of above order shall not be eligible for preference under this Order for procurement by any other procuring entity for the duration of 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.

Note (For departmental users & not to be part of Tender Document):

1. In case of procurement of all goods, services or works in respect of which the Nodal Ministry of department has communicated that there is a sufficient local capacity and local competition, only Class-I local supplier as defined under the said order, shall be eligible to bid irrespective of purchase value.
2. In procurement of all goods, services or works, not covered by sl. No.1 above and with estimated value of purchases less than Rs.200 crore in accordance to Rule 161 (iv) of GFR 2017, Global tender enquiries shall not be issued except with competent approval as designated by Department of Expenditure. Only Class-I local supplier and Class-II local supplier as defined under the order,

shall be eligible to bid in procurements undertaken by procuring entities, except when global tender enquiries have been issued. In global tender enquiries, Non-local suppliers shall also be eligible to bid long with Class-I local suppliers and Class-II local suppliers.

**C. Procurement from Startups shall be applicable for Works/Service Tenders in accordance to the notification of Govt. of India and including its amendment(s) as notified by GoI from time to time.**

- i. Prior experience and prior turnover shall be relaxed for Startups Bidders as recognized by Department for Promotion of Industry and Internal Trade (DPIIT) for the category of Work/Services in which they are registered, subject to meeting of quality and technical specifications.
- ii. This shall be applicable in Works/Service tenders having innovation, development or improvement of products or processes of services. Such Works/Services need to be examined at Subsidiary level on case to case basis to decide for keeping the provision for Startups. The routine/pre-engineered works/Services shall be excluded from the Startups Clause.
- iii. To waive off the requirement of experience and turnover criteria for Startups, the details of work Experience and Financial Turnover during bidding on the portal, a pre-defined input shall be prescribed in the NIT to be filled up by startups so that they comply the portal logic. A confirmatory document for being a Startups shall be prescribed in the NIT which shall be a certificate for being a Startups issued by DPIIT in the category of work and/or Service for which they are registered. This provision shall continue till e-Procurement portal is customized to take care of Bidder wise evaluation.
- iv. The existing working capital eligibility criteria shall be kept enabled for all the participating Bidders including Startups.

6.3 The Tender Committee will recommend for award of work to the successful Bidder after evaluating their technical eligibility based on the system-generated evaluation sheets followed by evaluation of the scanned documents uploaded by Bidder in support of the information furnished by them online and after evaluation of the reasonableness of L-1 rates. The reasonableness of rates will be evaluated as per the provisions of Manual of CIL and other guidelines issued from time to time.

The approval for award of work to L-1 Bidder will be accorded by the Competent Authority as per Delegation of Power based on the TC recommendation.

6.4 After competent approval and financial concurrence of TCR, the work order to the L-1 Bidder will be issued and the scanned copy of the LOA/Work Order will be uploaded on the e-Procurement portal and simultaneously the original copy may also be sent to the Bidder through registered/speed post.

6.5 (A) **Logical End of online created Tender:** Any tender hosted on the e-Procurement site must be logically concluded i.e. either Award of work is issued at AOC page on e-Procurement portal in online mode or the tender is cancelled/ retendered online through corrigendum.

6.5 (B) If L-1 Bidder backs out (i.e. Techno commercially established L-1 Bidder), the EMD will be forfeited and the Bidder will be debarred for minimum one (1) year from participating in tenders in CIL/Subsidiary.

**Note (Not part of tender document):-**

In the above case, approval of Tender accepting authority (TAA) shall be taken. In case Board or Empowered Committee or FDs of CIL/Subsidiary or CMD is tender accepting authority, then the approval of CMD of

CIL/Subsidiary is to be obtained and if the TAA is below CMD level then approval of TAA shall be obtained.” However, banning shall be done as per Guidelines for Banning Business as per CI No. 16 of Chapter I.)

## 6.6 EMD Refund:

- a. If EMD is paid by the Bidder in online mode (Direct Debit/NEFT/RTGS) then the EMD of rejected Bidders will be refunded at any stage directly to the account from where it had been received (except the cases where EMD is to be forfeited).
- b. No claim from the Bidders will be entertained for non-receipt of the refund in any account other than the one from where the money is received.
- c. If the refund of EMD is not received by the Bidder in the account from which the EMD has been made due to any technical reason then it will be paid through conventional system of e-payment. For this purpose, if required, Tender Inviting Authority will obtain the Mandate Form from the Bidder.
- d. In case the tender is cancelled then EMD of all the participating Bidders will be refunded unless it is forfeited by the department.
- e. If the Bidder withdraws his/her bid online (i.e. before the end date of submission of tender) then his/her EMD will be refunded automatically after the opening of tender.
- f. The EMD of successful Bidder (on Award of Contract) will be retained by CIL/Subsidiary and will be adjusted to Performance Security Deposit at the option of the Bidder.

## 7. REVOCATION OF TENDER PROCESS:

The online evaluation of tender must be performed by the Evaluator with utmost care and diligence. The Evaluator of tender must ensure that the decision of Tender Committee is correctly uploaded on the e-Procurement portal.

However, there may be situation when the decision of Tender Committee may have to be changed subsequently on account of a Court’s verdict. Also, there may be circumstances when online evaluation of tender is not done correctly due to mistake by the Evaluator or due to technical error in the system, which may lead to cancellation of tender.

In order to avoid the cancellation of tender in such cases, the tender process needs be reverted back to appropriate stage (i.e. bid Opening stage etc.) to comply with the Court’s verdict or to rectify the error committed by the Evaluator. This provision in the e-Procurement system has been introduced with an objective to abide by the Court’s verdict or to ensure that the tender process should not suffer due to any mistake committed by an individual or due to any technical error in the system.

Revocation of Tender process back to Technical-bid opening stage or Price-bid opening stage from an advanced stage shall be done under the following circumstances:

- a. To comply with the directives of Hon’ble Court of Law.
- b. If the Evaluator makes a mistake in online evaluation of tender, which is not in line with the Tender Committee decision.
- c. If there is an error in the online evaluation of tender due to technical error in the system.

Revocation of Tender process will be done with the specific approval of the concerned Director.

In all such cases the Tender Revocation Notice must contain the details of the circumstances leading to revocation of tender process.

The Revocation of Tender on the e-Procurement portal can be done by way of creation and publication of corrigendum. However, since Revocation of Tender, in true sense, is not a Corrigendum to NIT, the Tender Revocation Notice will be uploaded only on the e-Procurement portal.

In case of revocation of Tender at any stage the auto-refund of EMD may not work properly and in such case it may be required that Tender Inviting Authority to arrange refund of EMD through conventional system of refund of EMD.

## **8. CANCELLATION OF TENDER:**

Any tender published on the e-Procurement portal must be concluded to its logical end i.e. either “Award of Contract” or “Cancellation of Tender” or “Retender”.

It will be the responsibility of the Publisher of tender to conclude the published tenders to its logical end within the original bid validity period.

Tenders should be cancelled only under exceptional cases with due approval of Tender Approving Authority. In case of tenders where Board of Directors of CIL/Subsidiary is the Tender Approving Authority, in such cases the approval of Chairman/CMD, CIL/Subsidiary will be required. However, for cancellation of Tender due to non-receipt of any bid, no approval will be required.

In all such cases the Tender Cancellation Notice must contain the details of the circumstances leading to cancellation of tender.

The Cancellation of Tender on the e-Procurement portal can be done by way of creation and publication of corrigendum. However, since Cancellation of Tender, in true sense, is not a Corrigendum to NIT, the Tender Cancellation Notice will be uploaded only on the e-Procurement portal.

9. All the details of technical bid and price bid will be kept preserved in the archives for auditing purposes and the same can be accessed with special authorization. The IP address of all the Bidders who has participated in the bid along with timing and date will also be kept preserved in the system.
10. The processes for entering into the Agreement with the successful Bidder will be done offline as per the prevailing manual system. However, the documents required to be submitted by Contractor for executing the Agreement will be specified in the Tender document.

\*\*\*\*\*

## PART II

### A. ELIGIBILITY CRITERIA

#### 1. SERVICES TENDER (For tenders covered under Chapter 3 & Chapter 6 of CMM) :

(The Work Experience and Working Capital criteria as per Clause No. 1(a) and 1(b) shall also be applicable for AMC Contracts as per MCEW and Clause 1(b) is applicable for tenders for Turnkey Contracts as per CMM Ch 2)

- a. **Work Experience (Not Applicable for tenders with ECV below Rs.50 lakhs\*\*\*\*):** The Bidder must have experience of works (includes completed / ongoing) of similar nature valuing 50 % of the annualized estimated value of the work put to tender (for period of completion over 1 year) / 50 % of the estimated value of the work (for completion period up to one year ) put to Tender in any year (consecutive 365 days) during last 7(seven) years ending last day of month previous to the one in which bid applications are invited.

(For transportation works i.e. Tenders under Chapter 3 of CMM of CIL, similar nature of works shall mean: Transportation/Removal of Coal /Overburden /Shale /Extraneous materials/ Sand etc.)

(For tenders OB removal and OB removal & coal extraction etc under Chapter 6 of CMM of CIL, similar nature of works shall mean: Excavation & transportation of soil/overburden/shale/minerals etc. by mechanized means or Extraction of coal by mechanized means.)

However, Works of similar nature may be suitably defined by respective Subsidiaries based on its own necessity.

\*\*\*\* Work experience can be taken as eligibility criteria for tenders of ECV below Rs.50 Lakhs in case of Services pertaining to Production and Safety as decided by Subsidiary Companies.

“Annualised value” of the work shall be calculated as the “Estimated value/Period of completion in Days x 365”.

The value of executed works shall be given a simple weightage to bring them at current price level by adding 5% for each completed year (total number of days/365) after the end date of experience till the last day of month previous to one in which e-Tender has been invited.

The above qualification criteria shall be met collectively by JV partners or JV itself.

The qualifying criteria parameter e.g. Work Experience of the individual partners of the J.V will be added together towards fulfillment of qualification criteria related to experience.

Note: The definition of Similar Work to be given in the NIT should be broader, unambiguous, explicit and it should contain the predominant nature of tendered work. There should not be any scope for different interpretation by Bidder and the department w.r.to “similar nature of work” defined in the NIT.

#### **Data to be furnished by Bidder on-line:**

- i. Start date of the year for which work experience of Bidder is to be considered for eligibility.
- ii. Start date & end date of each qualifying experience (similar nature)
- iii. Work Order Number/Agreement Number of each experience



- iv. Name & address of Employer/Work Order Issuing authority of each experience
- v. Percentage (%) share of each experience (In case the experience has been earned by the Bidder as a partner in a Joint Venture firm/Partnership firm then the proportionate value of experience in proportion to actual share of Bidder in that Joint Venture firm/ Partnership firm will be considered against eligibility else it shall be taken as 100%).
- vi. Executed Value of work against each experience
- vii. In case the Bidder is a Joint Venture, the work experience of any one, two or three of the individual partners of JV or the JV itself may be furnished as the work experience of the Bidder.

**Technical evaluation by the System:**

- i. The system shall calculate the end date by adding 365 days to the start date of experience (provided by Bidder). End date shall not be later than the last date (last day of month previous to the month of in which NIT has been published on e-procurement portal).
- ii. The system shall check the Start & End date of each experience and accept it as a qualifying experience if it falls within the year selected by the Bidder (as calculated by adding 365 days to the start date restricted to the 'last date')
- iii. The system shall calculate the value of each qualifying experience by multiplying the value with the % share of experience and adding 5% for each completed year (total No. of days/365) after the end date of experience of work till the last date of month previous to one in which the NIT has been published on e-Procurement portal.
- iv. The system shall calculate the value of all qualifying experiences taken together for each Bidder and grade him as 'Eligible' if it meets the minimum requirements (50% of Annualised Value or estimated value whichever is less) or else as 'Ineligible'.
- v. In case any of the experiences does not fall in the selected period of 365 days (continuous), such experiences will be excluded from evaluation. Hence the Bidder shall have to furnish the value of work executed only during the selected period of 365 days (continuous).
- vi. The weightage of 5% every year will be on simple rate and will not be compounded on yearly basis for the purpose of calculating the value of each qualifying experience."
- vii. The work experience of the Bidder may be an ongoing work and the executed value of work shall be considered for evaluation.
- viii. In case the experience has been earned by the Bidder as an individual or proprietor of a Proprietorship firm, then 100% value of the experience will be considered against eligibility. But if the experience has been earned by the Bidder as a partner in a Joint Venture firm/Partnership firm then the proportionate value of experience in proportion to the actual share of Bidder in that Joint Venture firm/Partnership firm will be considered against eligibility.

**Scanned copy of documents to be uploaded by Bidders (CONFIRMATORY DOCUMENT):**

For work experience, Bidders are required to submit Work Experience Certificate issued by the employer against the experience of similar work containing all the information as sought on-line.

Work order, BOQ, TDS etc. may be sought during clarification or along with deficient documents, if felt necessary by the Tender Committee.

Note: A Sample Checklist for Work Experience Certificate is enclosed below.

## SAMPLE CHECKLIST OF WORK EXPERIENCE CERTIFICATE

THIS IS A SAMPLE CHECKLIST FOR WORK EXPERIENCE CERTIFICATE. (FOR REFERENCE PURPOSE ONLY).

The Work Experience Certificate issued by Employer (Principal Employer as applicable) should contain the following important parameters in line with the information furnished by the bidder online:

1. Name of Work: (Should be as per the Similar Nature of Work and should be matching with the Name of work mentioned in Work Order or Agreement).
2. Work Experience Certificate Reference No.: (should contain Reference No. and issuing date.)
3. Work Order Ref Number: (Work Order Reference Number should be clearly mentioned).
4. Agreement Ref Number: (Agreement Reference Number should be clearly mentioned) (As applicable).
5. Name of Contractor: (In case of a JV, Share of each JV Partner).
6. Name & Address of Employer/Work Order Issuing authority of experience.
7. Start Date & End Date of Qualifying Experience: (Should be maximum consecutive 365 days and should be within the period [1 year (consecutive 365 days)] declared online for consideration of eligibility).
8. Executed Value of Work: (Should be for the period as declared online)

### NOTE:

1. For eligibility Total Amount of Work Experience (adding all the Experience Value during the consecutive 365 days declared online) should be at least 50% of the Annualized value or estimated value whichever is less.
2. In case of JV, above documents of partner(s) shall be submitted and Work Experience shall be met collectively by all the partner/ members.

**b. Working Capital (Not Applicable for tenders with ECV below Rs.50 lakhs):** Evidence of possessing adequate working capital (at least 20% of the “Annualized value or Estimated value whichever is less” of this work) inclusive of access to lines of credit and availability of other financial resources to meet the requirement. The Bidder should possess the working capital within three months prior to the date of opening of tender.

In case of JV, the requirement of Working Capital under this clause shall be met as per following proportion:

- a. The lead member shall have to possess at least 50% share in the required Working Capital in order to qualify in this tender.
- b. All other members shall have to possess at least 25% share in the required Working Capital, in order to qualify in this tender.

### **Data to be furnished by Bidder on-line:**

- i. Amount of available Working Capital inclusive of lines of credit and availability of other financial resources
- ii. Date on which the Bidder possesses the required working capital
- iii. Name of the Chartered Accountant (CA)

iv. Membership Number of CA who certifies the Bidder's working capital on a particular date.

v. Date of Issue of Certificate

In case the Bidder is a Joint Venture, the working capital of the individual partners of the JV will be added together.

**Technical evaluation by the System:**

i. The system shall check that the date on which the Bidder possesses the required working capital as well as the date of issue of certificate is within 3 months of the date of opening of tender.

ii. The value of working capital as certified by the CA is greater than or equal to the minimum requirement.

**Note: The proportion of required Working Capital possessed by Lead Member and other members shall have to be evaluated offline by the Tender Committee till it is configured in the portal.**

**Scanned copy of documents to be uploaded by Bidders (CONFIRMATORY DOCUMENT):**

Certificate of Working Capital issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India containing the information as furnished by Bidder on-line with UDIN.

Note: A Sample Checklist for Working Capital Certificate is enclosed.

**SAMPLE CHECKLIST OF WORKING CAPITAL CERTIFICATE**

**THIS IS A SAMPLE CHECKLIST FOR WORKING CAPITAL CERTIFICATE. (FOR REFERENCE PURPOSE ONLY).**

The Working Capital Certificate issued by CA should contain the following important parameters in line with the information furnished by the bidder online:

1. Name of Bidder:
2. Amount of Available Working Capital inclusive of lines of credit and availability of other financial resources:

SI No.	Particulars	Value in Rs.
(1)	(2)	(3)
1	Current Asset (CA)	
2	Current Liability (CL)	
3	Working Capital (1-2)	
4	Access to lines of credit and availability of other financial resources	
5	Working Capital inclusive of Access to lines of credit and availability of other financial resources (3+4)	

Note: For eligibility Amount should be at least 20% of the Annualized value or Estimated value whichever is less.

3. Date on which bidder possess working capital: (Should be within 3 months prior to the date of opening of tender).
4. Name of Chartered Accountant (CA) with Membership No.:
5. Date of issue of Certificate: (Should be within 3 months prior to the date of opening of tender).
6. Certificate should be issued by Practicing CA (having Membership No.) containing UDIN No.

NOTE:

1. Access to line of Credit and availability of other financial resources shall imply the Net availability of Funds\* towards Working Capital, as on the date on which bidder possesses working capital.

\* The net availability of funds is the availability of unutilized fund.

2. In case of JV Bidder needs to submit the Working Capital Certificate of individual Partners and the requirement of Working Capital shall be met as per following proportion:

- i. The lead member shall have to possess at least 50% share in the required Working Capital in order to qualify in this tender.
- ii. All other members shall have to possess at least 25% share in the required Working Capital, in order to qualify in this tender.

**c. Fleet Requirement: The Bidder is required to accept unconditionally in GTE (General Technical Evaluation) as an undertaking in the prescribed format to deploy matching equipment/tippers/pay loaders as per NIT either owned or hired.**

**Data to be furnished by Bidder on-line:**

Confirmation in the form of YES/NO regarding acceptance to deploy matching equipment/tippers/pay loaders as per NIT either owned or hired

**Technical evaluation by the System:**

The system will evaluate “Yes” as eligible and “No” as not eligible.

**d. Permanent Account Number: The Bidder should possess a Permanent Account Number (PAN) issued by Income tax Department.**

**Data to be furnished by Bidder on-line:**

Confirmation in the form of YES/NO regarding possessing of PAN

**Technical evaluation by the System:**

The system will evaluate “Yes” as eligible and “No” as not eligible.

**Scanned copy of documents to be uploaded by Bidders (BIDDER SPACE/ MY DOCUMENT):**

PAN CARD of the Bidder

**e. Goods and Services Tax (Not Applicable for Exempted Services)**

The Bidder should be either GST Registered Bidder under regular scheme

OR

GST Registered Bidder under composition scheme

**OR**

GST unregistered Bidder

**In respect of the above eligibility criteria the Bidder is required to furnish the following information online:**

i). Confirmation in the form of Yes/No regarding possessing of required document as enlisted in NIT with respect to GST status of the Bidder.

**Scanned copy of documents to be uploaded by Bidders in Bidder space/ My Document**

The following documents depending upon the status w.r.to GST as declared by Bidder in the BOQ sheet:

a) Status: GST registered Bidder under regular scheme

Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate Authority of India.

b) Status: GST registered Bidder under composition scheme

Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate Authority of India

c) Status: GST unregistered Bidder:

Document: A Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the Bidder is GST unregistered Bidder in compliance with the relevant GST rules of India.

*[In case of JV, a Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India confirming the status of JV w.r.to GST in compliance with relevant GST rules or GST Registration Certificate of JV]*

**Note:**

1. In case the work/service is awarded to a Joint Venture participating in the tender they have to submit PAN, GST registration (as applicable in the tender and for the Bidder status) etc. in the name of the Joint Venture after Award of Work/Service at the time of execution of Agreement/ before the payment of first running on account bill.
2. If turnover of Bidder exceeds exemption limit, the Bidder must have GST registration as per GST Act and rules.
3. During evaluation of GST Registered Bidders the confirmation of their status shall be verified from the relevant Govt. website (Not to be kept as a part of NIT).

**f. Purchase Preference under 'Make in India' Policy for "Local supplier".**

Preference to Make in India (as applicable) vide Order No. P-45021/2/2017-PP (BE-II) dated 16.09.2020, issued by Govt. of India as amended from time to time shall be applicable.

In terms of the above said policy, purchase preference shall be given to Class-I local supplier.

In terms with the above said policy, Class-I local suppliers and Class-II local suppliers shall be eligible to bid.

The definitions of Class-I Local Supplier, Class-II local supplier, Non-Local supplier, Local Content

and Margin of Purchase Preference as per above mentioned Order are as follows: -

- A. 'Class-I local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 50%, as defined under said order.
- B. 'Class-II local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 20% but less than 50%, as defined under said order.
- C. 'Non-Local supplier' means a supplier or service provider, whose goods, services or works offered for procurement, has local content less than 20% as defined under said order
- D. '*Local Content*' means the amount of value added in India which shall 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.
- E. 'Margin of Purchase Preference' means the maximum extent to which the price quoted by a Class-I local supplier may be above the L1 for the purpose of purchase preference. The margin of purchase preference is 20%.

**In respect of the above eligibility criteria the Bidder is required to furnish the following information online:**

i). Confirmation in the form of Yes/No regarding possessing of required document indicating percentage of local content as enlisted in NIT.

Scanned copy of documents to be uploaded by Bidder(s) in support of information / declaration furnished online by the Bidder against Eligibility Criteria as Confirmatory Document.

- I. If the estimated value of Procurement is less than Rs.10 crores, all the Bidders at the time of bidding shall submit either self-certification indicating the percentage of local content in the offered items.
- II. If the estimated value of procurement is more than Rs.10 crores, all the Bidders shall submit along with its bid a certificate from the statutory auditor or cost auditor of the company (in case of companies) or from a practicing cost accountant or practicing chartered account (in respect of suppliers other than companies) giving the percentage of local content.

## **2. WORKS TENDER (CIVIL AND E&M DEPARTMENT):**

- a. **Work Experience (Not Applicable for tenders with ECV below Rs.50 lakhs\*\*\*\*)**: The Intending Bidder must have in its name or proportionate share as a member of Joint Venture/ Partnership firm experience of having successfully **completed similar** works, as a prime contractor, during last 7(seven) years ending last day of month previous to the one in which bid applications are invited (i.e. eligibility period) should be any of the following: -

Three similar **completed works** each costing not less than the amount equal to 40%\* of the estimated cost put to tender.

Or

Two similar **completed works** each costing not less than the amount equal to 50%\* of the estimated cost put to tender.

Or

One similar **completed work** costing not less than the amount equal to 80%\* of the estimated cost put to tender.

Similar nature of work shall include .....

Experience for those works only shall be considered for evaluation purposes, which match eligibility requirement stipulated above, on or before the last day of month previous to one in which tender has been invited (publication date of NIT). The experience of incomplete/ongoing works as on last date of eligibility period will not be considered for evaluation. If the referred work includes construction as well as maintenance after construction, the experience of such work may be considered as 'acceptable' if the construction part is completed as on the last date of 'eligibility period', even if maintenance work is ongoing, and the certificate issued clearly stipulates the same.

In all the above cases, while considering the value of completed works, the full value of completed work be considered whether or not the date of commencement is within the said 7(seven) years period.

\*However, for tenders for Trunkey Contracts as per Chapter-2 of CMM, the respective experience to be possessed by Bidder against one/two/three completed works shall be 40%/25%/20% respectively of the estimated cost put to tender. This shall also apply in below mentioned Clauses at (a) to (c).

\*\*\*\* Work experience can be taken as eligibility criteria for tenders of ECV below Rs.50 Lakhs in case of Services pertaining to Production and Safety as decided by Subsidiary Companies.

Cost of previous completed works shall be given a simple weightage of 5% per year to bring them at current price level, while evaluating the qualification requirement of the Bidder. Such weightage shall be considered after end date of completion. Updating will be considered for full or part of the year (total no. of days / 365) i.e. considering 365 days in a year, till the last day of month previous to one in which bid has been invited.

In case the Bidder is not a prime contractor, but a sub-contractor, the Bidder's experience as sub-contractor will be taken into account, against suitable document that the contract in support of qualification is a sub-contract in compliance with the provision of such sub-contracts in the original contract awarded to prime contractor. The document may be issued by owner/Govt. department on behalf of the owner.

Joint Venture shall be allowed for participation in the bid with estimated cost above Rs. 2.0 Crores.

The above qualification criteria shall be fulfilled by JV in the following manner.

The qualifying criteria parameter e.g. experience of the individual partners of the J.V will be as deliberated hereinafter towards fulfillment of qualification criteria related to experience.

a) In case of completion of single work of similar nature costing, not less than the amount equal to 80% of the estimated cost put to tender: -

Any of the JV partner shall have the experience of having completed successfully a single work of similar nature equal to 80% of the estimated cost put to tender.

Or

b) In case of completion of two works of similar nature each costing not less than the amount equal to 50% of the estimated cost put to tender: -

i) Any one partner can match the above requirement.

Or

ii) At least two partners should each have completed at least one work of similar nature each costing not less than the amount equal to 50% of the estimated cost put to tender.

Or

c) In case of completion of three works of similar nature, each costing not less than the amount equal 40% of the estimated cost put to tender: -

i) Any one partner can match the above requirement.

Or

ii) Any two partners shall match the above requirement through completion of at least two work by one partner and one work by other partner of similar nature each costing not less than the amount equal 40% of the estimated cost put to tender: -

Or

iii) All the three partners shall match the above requirement through completion of at least one work of similar nature each costing not less than the amount equal 40% of the estimated cost put to tender.

Works of similar nature may be suitably defined by respective subsidiaries based on its own necessity.

Note: The definition of Similar Work to be given in the NIT should be broader, unambiguous, explicit and it should contain the predominant nature of tendered work. There should not be any scope for different interpretation by Bidder and the department w.r.to “similar nature of work” defined in the NIT.

**Data to be furnished by the Bidders:**

- i. Start date & end date of each qualifying experience (similar nature)
- ii. Work order Number /Agreement Number of each experience
- iii. Name & address of Employer/Work Order Issuing authority of each experience
- iv. Percentage (%) share of each experience (In case the experience has been earned by the Bidder as a partner in a Joint Venture firm/Partnership firm then the proportionate value of experience in proportion to actual share of Bidder in that Joint Venture firm/ Partnership firm will be considered against eligibility else it shall be taken as 100%).
- v. Executed Value of work against each experience
- vi. In case the Bidder is a Joint Venture, work experience as above may be furnished as the work experience of the Bidder.

**Technical evaluation by the System:**

- i. The system shall calculate the period of 7 years backwards starting from the last day of month previous to the e-Publication date of NIT.



- ii. The system shall check the End date of each experience (The system shall not allow more than 3 entries for experience) and accept it as a qualifying experience if the end date of experience falls within the 7 years computed by the system.
- iii. The system shall calculate the value of each qualifying experience by multiplying the value with the % share of experience and adding 5% for each completed year (total No. of days/365) after the end date of experience of work till the last date of month previous to one in which the NIT has been published on e-Procurement portal.
- iv. The system shall check the experience with highest value whether it exceeds 80% of ECV. In case it does not, it shall check the top 2 experiences whether each of them is greater than 50% of ECV. In case, it still does not, the system shall check all 3 qualifying experiences whether each of them exceeds 40% of ECV. The system shall regard the Bidder as 'Eligible' if it meets any of the aforementioned criteria or else it shall consider the Bidder as 'Ineligible'.
- v. The weightage of 5% every year will be on simple rate and will not be compounded on yearly basis for the purpose of calculating the value of each qualifying experience.
- vi. The work experience of the Bidder for those works only shall be considered for evaluation purposes, which are completed before the last date of month previous to one in which NIT has been published on e-Procurement portal. Hence, the works which are incomplete/ongoing, as on the last date of month previous to one in which NIT has been published on e-Procurement portal, shall not be considered against eligibility.
- vii. In case the work is started prior to the eligibility period of 7 years (counted backwards starting from the last day of month previous to the e-Publication date of NIT) and completed within the said eligibility period of 7 years, then the full value of work shall be considered against eligibility.
- viii. In case the experience has been earned by the Bidder as an individual or proprietor of a proprietorship firm, then 100% value of the experience will be considered against eligibility. But if the experience has been earned by the Bidder as a partner in a Joint Venture/ Partnership firm then the proportionate value of experience in proportion to the actual share of Bidder in that Joint Venture/ Partnership firm will be considered against eligibility.

**Scanned copy of documents to be uploaded by Bidders (CONFIRMATORY DOCUMENT):**

For work experience Bidders required to submit Satisfactory Work Completion Certificate issued by the employer against the Experience of similar work containing all the information as sought on-line. In case of Sub-contractor suitable document as per provision of eligibility, if applicable.

Work order, BOQ, TDS etc. may be sought during clarification or along with deficient documents, if felt necessary by the Tender Committee.

- b. **Financial Turnover (Not Applicable for tenders with ECV below Rs.50 lakhs):** Average annual financial turnover during the last 3 (three) years ending 31st March of the previous financial year should be at least 30% of the estimated cost.

(The "Previous Financial Year" shall be computed with respect to the e-Publication date of NIT).

**Data to be furnished by Bidders:**

- i. Annual turnover of each of the last 3 years ending 31st March of the previous financial year.
- ii. Name of the Chartered Accountant issuing the Profit and Loss A/c or the Turnover certificate.

iii. Membership Number of the CA

iv. In case the Bidder is a Joint Venture, the turnover of the individual partners of the JV will be added together for each financial year and is to be furnished as the turnover of the Bidder for that particular financial year

**Technical evaluation by the System:**

- i. The system shall have to calculate the 30 % of the estimated value (ECV) as the required average turnover of the Bidder.
- ii. The system shall calculate the average of the financial turnover of 3 years furnished by the Bidder by adding 5% for each completed year (total number of days/365) after the end of respective Financial Year ( i.e. 31<sup>st</sup> March) till the last day of month previous to one in which e-Tender has been invited.
- iii. The average shall be compared with the minimum requirement to ascertain the eligibility status of the Bidder.
- iv. If any Bidder does not submit the Turnover value for any of the 3 years, the system will not disqualify him and instead shall consider all 3 years for computing the average by assuming a value of 'zero' for the year for which no information is given by Bidder.

**Scanned copy of documents to be uploaded by Bidders (CONFIRMATORY DOCUMENT) :**

Turnover certificate with UDIN issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India containing the information as furnished by Bidder on- line.

c. **Permanent Account Number:** - The Bidder should possess a permanent account number issued by Income tax Department.

**Data to be furnished by Bidder on-line:**

Confirmation in the form of YES/NO regarding possessing of PAN

**Technical evaluation by the System:**

The system will evaluate "Yes" as eligible and "No" as not eligible.

**Scanned copy of documents to be uploaded by Bidders (BIDDER SPACE/ MY DOCUMENT) :**

PAN CARD of the Bidder

d. **Goods and Services Tax (Not Applicable for Exempted Services)**

The Bidder should be either GST Registered Bidder under regular scheme

OR

GST Registered Bidder under composition scheme

OR

GST unregistered Bidder

**In respect of the above eligibility criteria the Bidder is required to furnish the following information online:**

i). Confirmation in the form of Yes/No regarding possessing of required document as enlisted in NIT with respect to GST status of the Bidder.

**Scanned copy of documents to be uploaded by Bidders in Bidder space/ My Document**

The following documents depending upon the status w.r.to GST as declared by Bidder in the BOQ sheet:

I. Status: GST registered Bidder under regular scheme

Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate Authority of India.

II. Status: GST registered Bidder under composition scheme

Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate Authority of India

III. Status: GST unregistered Bidder:

Document: A Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the Bidder is GST unregistered Bidder in compliance with the relevant GST rules of India.

*[In case of JV, a Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India confirming the status of JV w.r.to GST in compliance with relevant GST rules or GST Registration Certificate of JV]*

**Note:**

1. In case the work/service is awarded to a Joint Venture participating in the tender they have to submit PAN, GST registration (as applicable in the tender and for the Bidder status) etc. in the name of the Joint Venture after Award of Work/Service at the time of execution of Agreement/ before the payment of first running on account bill.
2. If turnover of Bidder exceeds exemption limit, the Bidder must have GST registration as per GST Act and rules.
3. During evaluation of GST Registered Bidders the confirmation of their status shall be verified from the relevant Govt. website (Not to be kept as a part of NIT).

**e. Purchase Preference under ‘Make in India’ Policy for “Local supplier”.**

Preference to Make in India (as applicable) vide Order No. P-45021/2/2017-PP (BE-II) dated 16.09.2020, issued by Govt. of India as amended from time to time shall be applicable.

In terms of the above said policy, purchase preference shall be given to Class-I local supplier.

In terms with the above said policy, Class-I local suppliers and Class-II local suppliers shall be eligible to bid.

The definitions of Class-I Local Supplier, Class-II local supplier, Non-Local supplier, Local Content and Margin of Purchase Preference as per above mentioned Order are as follows: -

- A. ‘Class-I local supplier’ means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 50%, as defined under said order.
- B. ‘Class-II local supplier’ means a supplier or service provider, whose goods, services or works offered for procurement, has local content equal to or more than 20% but less than 50%, as defined under said order.
- C. ‘Non-Local supplier’ means a supplier or service provider, whose goods, services or works offered for procurement, has local content less than 20% as defined under said order

- D. '*Local Content*' means the amount of value added in India which shall 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.
- E. 'Margin of Purchase Preference' means the maximum extent to which the price quoted by a Class-I local supplier may be above the L1 for the purpose of purchase preference. The margin of purchase preference is 20%.

**In respect of the above eligibility criteria the Bidder is required to furnish the following information online:**

- i). Confirmation in the form of Yes/No regarding possessing of required document indicating percentage of local content as enlisted in NIT.

Scanned copy of documents to be uploaded by Bidder(s) in support of information / declaration furnished online by the Bidder against Eligibility Criteria as Confirmatory Document.

- I. If the estimated value of Procurement is less than Rs. 10 crores, all the Bidders at the time of bidding shall submit either self-certification indicating the percentage of local content in the offered items.
- II. If the estimated value of procurement is more than Rs. 10 crores, all the Bidders shall submit along with its bid a certificate from the statutory auditor or cost auditor of the company (in case of companies) or from a practicing cost accountant or practicing chartered account (in respect of suppliers other than companies) giving the percentage of local content.

## **B. General Essential Requirements for both Services and Works :**

In order to qualify in the tender the Bidders have to accept the following conditions:

- i. All the Terms and Condition of the NIT and Tender Document Unconditionally on line in the form of User Portal Agreement.
- ii. Expected values of each of the General Technical Evaluation (GTE) items.
- iii. Documents confirming the legal status of the Bidder as specified in the checklist given in the NIT.

However, in case of JV, the participating share of JV members shall be as below:

- a) Lead Partner shall have at least 50% participating share in JV
  - b) Other partner(s) shall have at least 20% participating share in JV
- iv. To upload online the scanned copy of documents, as specified in the NIT for evaluation by Tender Committee as per the checklist given in the NIT

### **Data to be furnished by Bidder on-line:**

- i. Confirmation in the form of **Agree/Disagree** for accepting user portal agreement
- ii. Confirmation in the form of **Yes/No** for each GTE item

### **Technical evaluation by the System:**

System will capture data in the **Agree/Disagree** OR **Yes/No** format from the Bidder and will decide the eligibility for (i) & (ii) above.

For (iii) & (iv) the confirmatory documents will be downloaded and evaluated by Tender Committee as explained in Part I. The outcome is to be uploaded on line in Confirmatory Document page by Evaluator

### **Scanned copy of documents to be uploaded by Bidders (CONFIRMATORY DOCUMENT) :**

**To be taken as per Checklist**

## **C. CHECK LIST OF DOCUMENTS TO BE UPLOADED BY THE BIDDERS (For Services)**

(1). For SERVICES TENDER (For tenders covered under Chapter 3 & Chapter 6 of CMM) :  
(Below given Work Experience and Working Capital criteria as per Clause No. 1(a) and 1(b) shall also be applicable for AMC Contracts as per MCEW)

### **i. Confirmatory Documents (Cover documents):**

Sl No.	Eligibility Criteria	Information to be furnished by Bidder on line	Scanned copy of documents, to be uploaded by in support of information/ declaration furnished online by the Bidder against Eligibility Criteria as Confirmatory Document
1	<p><b><u>THE WORK EXPERIENCE (Not Applicable for tenders with ECV below Rs.50 lakhs)</u></b> :</p> <p>The Bidder must have experience of works (includes completed / ongoing) of similar nature valuing 50 % of the annualized estimated value of the work put to tender (for period of completion over 1 year) / 50 % of the estimated value of the work (for completion period up to one year) put to Tender in any year (consecutive 365 days) during last 7(seven) years ending last day of month previous to the one in which bid applications are invited.</p>	<ol style="list-style-type: none"> <li>1.Start date of the year for which work experience of Bidder is to be considered for eligibility.</li> <li>2.Start date &amp; end date of each qualifying experience (similar nature)</li> <li>3.Work Order Number/Agreement Number of each experience</li> <li>4.Name &amp; address of Employer/Work Order Issuing authority of each experience</li> <li>5.<u>Percentage (%) share of each experience (In case the experience has been earned by the Bidder as a partner in a joint venture firm/partnership firm then the proportionate value of experience in proportion to actual share of Bidder in that joint venture firm/ partnership firm will be considered against eligibility else it shall be taken as 100%).</u></li> <li>6.Executed Value of work against each experience</li> </ol>	<p>For work experience, Bidders are required to submit Work Experience Certificate issued by the employer against the experience of similar work containing all the information as sought on-line.</p> <p>Work order, BOQ, TDS etc. may be sought during clarification or along with deficient documents, if felt necessary by the Tender Committee.</p>

		7. In case the Bidder is a Joint Venture, the work experience of any one, two or three of the individual partners of JV or the JV itself may be furnished as the work experience of the Bidder.	
2	<p><b><u>THE AVAILABILITY OF WORKING CAPITAL (Not Applicable for tenders with ECV below Rs.50 lakhs)</u></b></p> <p>Evidence of possessing adequate working capital (at least 20% of the “Annualized value or Estimated value whichever is less” of this work) inclusive of access to lines of credit and availability of other financial resources to meet the requirement. The Bidder should possess the working capital within three months prior to the date of opening of tender.</p>	<ol style="list-style-type: none"> <li>1. Amount of available working capital inclusive of lines of credit and availability of other financial resources</li> <li>2. Date on which the Bidder possesses the required working capital</li> <li>3. Date of issue of W.C. Certificate by CA</li> <li>4. Name of the Chartered Accountant (CA)</li> <li>5. Membership Number of CA who certifies the Bidder's working capital</li> </ol>	Certificate with UDIN of Working Capital issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India containing the information as furnished by Bidder on- line.
3	<b>Valid Digital Signature Certificate</b>	Confirmation in the form of Yes/NO for possessing the supporting documents	<p>If the Bidder himself is the DSC holder bidding on-line then no document is required.</p> <p>However, if the DSC holder is bidding online on behalf of the Bidder then the Power of Attorney or any sort of legally acceptable document for the authority to bid on behalf of the Bidder</p>
4	<b>An Undertaking on their letter head regarding relatives as employees of company, arbitration clause (in case of partnership firm), local supplier status of the Bidder etc. as per the format given in Chapter I.</b>		
	Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support the information/declaration furnished by Bidder online against eligibility criteria may also be attached by the Bidder in the same file to be uploaded against respective eligibility criteria.		

**ii. Confirmatory Document (From Bidder space/My document. Not to be recycled)**

Other than the above Confirmatory documents, the Bidder has to upload the following documents in Bidder’s space/ My Document / accept unconditionally in GTE (General Technical Evaluation) and no recycling will be done for these documents -

S No	Document	Information to be furnished by Bidder on line in GTE	Scanned documents to be uploaded by Bidder in Bidder's space/ My Document
1	<p><b>FLEET REQUIREMENT:</b></p> <p>The Bidder is required to give an undertaking in the form of an Affidavit in the prescribed format to deploy matching equipments/ tippers/ pay loaders as per NIT either owned or hired</p>	Confirmation in the form of Yes/No as unconditional acceptance in GTE	NIL
2	<b>Legal Status of the Bidder</b>	Confirmation in the form of Yes/NO for possessing the supporting documents	<p><u>Any one of the following document</u> :</p> <ol style="list-style-type: none"> <li>1. Affidavit or any other document to prove proprietorship/<b>Individual status of the Bidder.</b></li> <li>2. Partnership deed containing name of partners</li> <li>3. Memorandum &amp; Article of Association with certificate of incorporation containing name of Bidder</li> <li>4. Joint Venture agreement containing name of partners and lead partner, Power of Attorney to the Lead Partner and share of each partner.</li> </ol>
3	<b>Valid Permanent Account Number (PAN)</b>	Confirmation in the form of Yes/NO for possessing the supporting documents	<p>PAN card issued by Income Tax department, Govt. of India</p> <p><i>(In case of JV, PAN card for each Indian partner of JV and Verifiable Tax Residency Certificate of respective country for each foreign partner or JV itself)</i></p>
4	<p><b>Goods and Services Tax</b> (Not Applicable for Exempted Services)</p> <p>The Bidder should be either GST Registered Bidder under regular scheme</p> <p style="text-align: center;">OR</p>	<ol style="list-style-type: none"> <li>1. Confirmation in the form of Yes/No regarding possessing of required document as enlisted in NIT with respect to GST status of the Bidder</li> <li>2. Status of the Bidder in the BoQ excel sheet being uploaded by the Bidder during bid submission as per previous column.</li> </ol>	<p>The following documents depending upon the status w.r.to GST as declared by Bidder in the BOQ sheet:</p> <ol style="list-style-type: none"> <li>a) Status: GST registered Bidder under regular scheme:</li> </ol> <p>Document: GST Registration Certificate (i.e. GST identification Number) issued</p>



	<p>GST Registered Bidder under composition scheme</p> <p>OR</p> <p>GST unregistered Bidder</p>		<p>by appropriate authority of India.</p> <p>b) Status: GST Registered Bidder under composition scheme</p> <p>Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>c) Status: GST unregistered Bidder:</p> <p>Document: A Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the Bidder is GST unregistered Bidder in compliance with the relevant GST rules of India.</p> <p><i>[In case of JV a Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India confirming the status of JV w.r.to GST in compliance with relevant GST rules or GST Registration Certificate of JV]</i></p> <p>Note:</p> <p>1. If turnover of Bidder exceeds exemption/threshold limit, the Bidder must have GST registration as per GST Act and rules.</p> <p>2. During evaluation of GST Registered Bidders the confirmation of their status shall be verified from the relevant Govt website ( Not to be kept as a part of NIT).</p>
5	Letter of Bid and Undertaking regarding genuineness of the	Confirmation in the form of Yes/No for	NIL

	information furnished online and authenticity of the documents uploaded online in support of his eligibility as per the format given in Chapter I.	unconditional acceptance in GTE	
<p>Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support the information/declaration furnished by Bidder online against eligibility criteria may also be attached by the Bidder in the same file to be uploaded against respective eligibility criteria.</p>			

**(2). FOR WORKS TENDERS (Civil, E&M and Other Tenders):**

**i. Confirmatory Documents (Cover document):**

Sl No.	Eligibility Criteria	Information to be furnished by Bidder on line	Scanned copy of documents, to be uploaded by Bidders in support of information/declaration furnished online by the Bidder against Eligibility Criteria as Confirmatory Document
1	<p><b><u>THE WORK EXPERIENCE (Not Applicable for tenders with ECV below Rs.50 lakhs):</u></b></p> <p>The Intending Bidder must have in its name or proportionate share as a member of Joint Venture/ partnership firm experience of having successfully <b>completed similar</b> works, as a prime contractor, during last 7(seven) years ending last day of month previous to the one in which bid applications are invited (i.e. eligibility period) should be any of the following :-</p> <p>Three similar <b>completed works</b> each costing not less than the amount equal to 40% of the estimated cost put to tender.</p> <p>Or</p> <p>Two similar <b>completed works</b> each costing not less than the amount equal to 50% of the estimated cost put to tender.</p> <p>Or</p> <p>One similar <b>completed work</b> costing not less than the amount equal to 80% of the estimated cost put to tender.</p> <p>In case the Bidder is not a prime contractor, but a sub-contractor, the Bidder's experience as sub-contractor will be taken into account, against suitable document that the contract in support of qualification is a sub-contract in compliance with the</p>	<ol style="list-style-type: none"><li>1. Start &amp; end date of each qualifying experience (similar nature)</li><li>2. Work order/Agreement Number of each experience</li><li>3. Work Order Issuing authority of each experience</li><li>4. Percentage (%) share of each experience (In case the experience has been earned by the Bidder as a partner in a joint venture firm/partnership firm then the proportionate value of experience in proportion to actual share of Bidder in that joint venture firm/partnership firm will be considered against eligibility else it shall be taken as 100%).</li><li>5. Executed Value of work against each experience</li></ol>	<p>For work experience Bidders required to submit Satisfactory Work Completion Certificate issued by the employer against the Experience of similar work containing all the information as sought on-line. In case of Sub-contractor suitable document as per provision of eligibility, if applicable.</p> <p>Work order, BOQ, TDS etc. may be sought during clarification or along with deficient documents, if felt necessary by the Tender Committee.</p>

	<p>provision of such sub-contracts in the original contract awarded to prime contractor. The document may be issued by owner/Govt. department on behalf of the owner.</p> <p>In case the Bidder is not a prime contractor, but a sub-contractor, the Bidder's experience as sub-contractor will be taken into account, against suitable document that the contract in support of qualification is a sub-contract in compliance with the provision of such sub-contracts in the original contract awarded to prime contractor. The document may be issued by owner/Govt. department on behalf of the owner.</p>		
2	<p><b><u>FINANCIAL TURNOVER (Not Applicable for tenders with ECV below Rs.50 lakhs):</u></b></p> <p>Average annual financial turnover during the last 3 (three) years ending 31st March of the previous financial year should be at least 30% of the estimated cost.</p> <p>(The "Previous Financial Year" shall be computed with respect to the e-Publication date of NIT).</p>	<p>1. Annual turnover of the last 3 financial years ending 31st March of the previous financial year.</p> <p>2. Name of the Chartered Accountant issuing the Profit and Loss A/c or the Turnover certificate.</p> <p>3. Membership Number of the CA</p>	<p>Financial Turnover certificate with UDIN for last 3 (three) financial years issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India.</p> <p><i>(In case of JV, turnover certificate for each individual partner of JV)</i></p>
3	<p><b>VALID DIGITAL SIGNATURE CERTIFICATE</b></p>	<p>Confirmation in the form of Yes/NO for possessing the supporting documents</p>	<p>If the Bidder himself is the DSC holder bidding on-line then no document is required.</p> <p>However, if the DSC holder is bidding online on behalf of the Bidder then the Power of Attorney or any sort of legally acceptable document for the authority to bid on behalf of the Bidder</p>
4	<p><b>VALID ELECTRICAL LICENSE( For Electrical works only)</b></p>	<p>Confirmation in the form of Yes/NO for possessing the supporting documents</p>	<p>Valid Electrical Contractor's License issued by Electrical Licensing Board/Authority of any Indian State/UT, in accordance with IE Rule-45.</p>

			(In case the Bidder is a Joint Venture, atleast one partner of JV should possess the valid Electrical Contractor's License issued by Electrical Licensing Board/Authority of any Indian state, in accordance with IE Rule-45.)
5	An Undertaking on their letter head regarding relatives as employees of company, arbitration clause (in case of partnership firm), local supplier status of the Bidder etc. as per the format given in Chapter I.		
	Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support the information/declaration furnished by Bidder online against eligibility criteria may also be attached by the Bidder in the same file to be uploaded against respective eligibility criteria.		

**ii. Confirmatory Document (From Bidder space/My document. Not to be recycled)**

Other than the above Confirmatory documents, the Bidder has to upload the following documents in Bidder's space/ My Document / accept unconditionally in GTE (General Technical Evaluation) and no recycling will be done for these documents –

S No	Document	Information to be furnished by Bidder on line in GTE	Scanned documents to be uploaded by Bidder in Bidder's space/ My Document
1	<p><b>Goods and Services Tax</b> (Not Applicable for Exempted Services)</p> <p>The Bidder should be either GST Registered Bidder under regular scheme OR GST Registered Bidder under composition scheme OR GST unregistered Bidder</p>	<p>1. Confirmation in the form of Yes/No regarding possessing of required document as enlisted in NIT with respect to GST status of the Bidder</p> <p>2. Status of the Bidder in the BoQ excel sheet being uploaded by the Bidder during bid submission as per previous column.</p>	<p>The following documents depending upon the status w.r.to GST as declared by Bidder in the BOQ sheet:</p> <p>a) Status: GST registered Bidder under regular scheme:</p> <p>Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>b) Status: GST Registered Bidder under composition scheme</p> <p>Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>c) Status: GST unregistered Bidder:</p> <p>Document: A Certificate from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the Bidder is GST unregistered Bidder/dealer in compliance with the relevant GST rules of India.</p> <p>[In case of JV a Certificate from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India confirming the status of JV w.r.to GST in compliance with relevant GST rules or GST Registration Certificate of JV].</p> <p>Note:</p>

			<p>1. If turnover of Bidder exceeds exemption/threshold limit, the Bidder must have GST registration as per GST Act and rules.</p> <p>2. During evaluation of GST Registered Bidders the confirmation of their status shall be verified from the relevant Govt website (Not to be kept as a part of NIT).</p>
2	<b>LEGAL STATUS OF THE BIDDER</b>	Confirmation in the form of Yes/NO for possessing the supporting documents	<p><u>Any one of the following document:</u></p> <p>1. Affidavit or any other document to prove proprietorship/<b>Individual status of the Bidder.</b></p> <p>2. Partnership deed containing name of partners</p> <p>3. Memorandum &amp; Article of Association with certificate of incorporation containing name of Bidder</p> <p>4. Joint Venture agreement containing name of partners and lead partner, Power of Attorney to the Lead Partner and share of each partner.</p>
3	<b>VALID PERMANENT ACCOUNT NUMBER (PAN)</b>	Confirmation in the form of Yes/NO for possessing the supporting documents	<p>PAN card issued by Income Tax department, Govt. of India  <i>(In case of JV, PAN card for each Indian partner of JV and Verifiable Tax Residency Certificate of respective country for each foreign partner or JV itself)</i></p>
4	Letter of Bid and Undertaking regarding genuineness of the information furnished online and authenticity of the documents uploaded online in support of his eligibility as per the format given in Chapter I.	Confirmation in the form of Yes/No for unconditional acceptance in GTE	NIL
<p><b>Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support the information/declaration furnished by Bidder online against eligibility criteria may also be attached by the Bidder in the same file to be uploaded against respective eligibility criteria.</b></p>			

For AMC/Tenders for Turnkey Contracts/ Other customized NITs the list of Confirmatory documents can be prepared with above sample lists and to be kept in the Standard NIT