

Section-1
Replacement of Section -1 (Page No. 1 to 10) of GCC– 2019 for Contractors

NOTICE INVITING e- TENDER



NBCC (INDIA) LIMITED
(A GOVT. OF INDIA ENTERPRISE)
Office of Sr Executive Director (Projects)
NBCC Business Center, Logix technova 8th Floor, Sec 132.
Noida (UP)
Email ID: eizone1.nbcc@yahoo.in, sedp.nbcc@gmail.com

Date: 25.04.2022

NOTICE INVITING e-TENDER (NIT)

1.0 NBCC (India) Ltd. invites online lumpsum basis open e-tenders in two bid system from experienced and eligible Contractors for “**Execution of Solar Rooftop photo voltaic Power Plant of 472.5Kwp on Design, Engineering, Procurement & Construction (EPC) basis at Four Buildings in RDSDE/NSTI campus at Kanpur**” as per schedule as under:-

Tendering Document No.	NBCC/RBG/2022/IIS/KANPUR/15
Name of the Work	Execution of Solar Rooftop photo voltaic Power Plant of 472.5KW on Design, Engineering, Procurement & Construction (EPC) basis at Four Buildings in RDSDE/NSTI campus at Kanpur
Brief Scope of Work	Design, Supply, Installation , testing commissioning of Solar Rooftop photo voltaic Power Plant of 472.5Kwp on Design, Engineering, Procurement & Construction (EPC) basis at Four Buildings in RDSDE/NSTI campus at Kanpur. & as per tender documents.
Estimated Cost	Rs. 2,75,00,000/- (Rupees Two Crore Seventy Five Lakh only)
Period for completion	3 Months
Earnest Money Deposit	Rs. 2,75,000.00 (Rupees Two Lakh Seventy Five Thousand only) Bank Details of NBCC (India) Ltd. are provided herewith for the purpose of preparation of Bank Guarantee only: Name of Beneficiary: NBCC (India) Ltd. Bank: Union Bank of India, Lodhi Colony, New Delhi (3524) Current A/C No. : 352401010035007 IFSCCode: UBIN0535249.
Non-refundable cost of Tender document	Rs. 11,800/- (Rupees Eleven Thousand Eight Hundred only) inclusive of GST at 18.00% in the shape of DD/PO in favor of NBCC (India) Ltd. payable at New Delhi.
Non-refundable cost of e-Tender processing fee	Rs. 2950/- inclusive of GST @ 18% through e-payment gateway to M/s Railtel Corporation Ltd.
Last date & time of submission of Online Tender	Up to 11.05.2022 by 11:00 AM (IST)

Period during which hard copy in original of EMD, Cost of Tender Document, Affidavit (Form-H) and unconditional Letter of Acceptance of tender conditions as per NIT shall be submitted.	Before and up to 11:00 AM on 11.05.2022 in the Office of Sr Executive Director (Projects) ,NBCC Business Center,Logix technova 8 th Floor, Sec 132.Noida (UP)
Date & Time of Opening of	11.05.2022 at 11:30 AM
Date & Time of Opening of Financial Bid	To be intimated Later
Validity of offer	150 days from the date of opening of price tender.
Pre-Tender Meeting & Venue	Pre-bid meeting will not be held due to COVID-19. Intending bidders are requested to submit their queries regarding the tender upto 30.04.2022 through e-mail on

The tender document can be downloaded from website <https://nbcc.enivida.com> and www.eprocure.gov.in. **“Corrigendum, if any, would appear only on the website and not to be published in any News Paper”.**

2.0 MINIMUM ELIGIBILITY CRITERIA:

The interested bidders should meet the following minimum qualifying criteria:

A. Work Experience:

- i) Experience of having successfully completed similar works during the last 7 years ending initial stipulated last date of submission of tenders as per NIT:
 - a. Three similar works each costing not less than 40% of the estimated cost put to tender;
OR
 - b. Two similar works each costing not less than 50% of the estimated cost put to tender;
OR
 - c. One similar work costing not less than 80% of the estimated cost put to tender.

“Similar works” shall mean “Design, supply, installed & commissioned Grid connected Rooftop Solar PV Power plant having a capacity of not less than 250 KW”.

ii) The past experience in similar nature of work should be supported by certificates issued by the client’s organization. In case the work experience is of Private sector the completion certificate shall be supported with copies of Letter of Award and copies of Corresponding TDS Certificates. Value of work will be considered equivalent to the amount of TDS Certificates.

iii) (a) The value of executed works, for the purpose of this clause shall also include the value of any materials (such as cement, steel, etc.), services (scaffolding, batching plant, other machinery, etc.), which have been supplied by client/ employer free of cost/ on discounted price to the contractor, and which have not been already included in the ‘value of works executed’ that is reflected/declared on the relevant ‘experience certificate’ or ‘Letter of Award’. Such exclusion shall be specifically mentioned on the Letter of Award, ‘Experience Certificate’ and the ‘value of free supplies’ shall be separately certified by the employer, or in cases where the employer is a private entity, by a practicing cost/chartered accountant (holding valid certificate of practice), However work executed as labour contract shall not be considered.

(b) The value of executed works shall be brought to the current level by enhancing the actual value of work done at a simple rate of 7% per annum, calculated from the date of completion to previous day of initial stipulated last date of submission of tenders.

iv) Joint-venture / consortia of firms/companies and Foreign bidders are not eligible to quote
Signature of Contractor

for the tender.

- v) The bidders submitting experience certificate for the works done in joint venture (JV)/ consortium with other firms/ companies, their proportionate experience to the extent of its share in the JV/consortium or work done by them shall only be allowed on submitting the valid proof of their share/ work done.

vi) **Certificate in the name of other companies:**

- a) **Certificates of Subsidiary/ Parent/ Group Company/ Own works:** Any company/firm while submitting tender can use the work experience of its subsidiary company to the extent of its ownership in the subsidiary company. On the other hand, the companies/firms which intend to get qualified on the basis of experience of the parental company/group company/ Own works, shall not be considered. Further, the financial parameters of the subsidiary or Parental Company cannot be used by the other one for qualification.
- b) **Merger/ Acquisition of Companies:** In case of a Company/firm, formed after merger and/ or acquisition of other companies/ firms, past work experience and Financial parameters like turnover, profitability, net worth etc. of the merged/ acquired companies/ firms will be considered for qualification of such Company/ firm provided such Company/ firm continues to own the requisite assets and resources of the merged/ acquired companies/ firms.

vii) **Foreign Certificate:**

- (a) In case the work experience is for the work executed outside India, the bidders have to submit the completion/ experience certificate issued by the owner duly signed & stamped, and affidavit to the correctness of the completion/ experience certificates. The Contractor shall also get the completion/ experience certificates attested by the Indian Embassy/ Consulate/ High Commission in the respective country.

In the event of submission of completion /experience certificate/ other documents by the Bidder in a language other than English, the English translation of the same shall be duly authenticated by Chamber of Commerce of the respective country and attested by the Indian Embassy/ consulate/ High Commission in the respective country.

Note:

Provided further that bidders from member countries to the HAGUE convention, 1961 are permitted to submit requisite documents with "Apostille stamp" affixed by Competent Authorities designated by the government of respective country which would be acceptable in lieu of attestation from the Indian Embassy/ Consulate/ High Commission in their respective countries.

- (b) For the purpose of evaluation of Bidders, the conversion rate of such a currency into INR shall be the daily representative exchange rate published by the IMF as on 7 (Seven) days prior to the Last Date of Submission of tender including extension(s) given if any.

B. Financial Strength:

- i) The Average annual financial turnover for last 3 years shall be at least 40% of the estimated cost put to tender. The requisite Turnover shall be duly certified by a Chartered Accountant with his Seal/ signatures and registration number.

In case of Companies/ Firms less than 3 years old, the Average annual financial turnover shall be worked out for the available period only.

- ii) Net Worth of the company /firm as on last day of preceding financial year, should be positive.
- iii) Self-certified copy of Bank Solvency Certificate issued from Nationalized or any Schedule Bank should be one in number for at least 40% of Estimated Cost of the Project put to tender. The certificate should have been issued within 6 months from original last date of

the submission of the tender.

- iv) The Bidder should at least have earned profit in minimum one year in the available last three consecutive balance sheets.

The bidders are required to upload and submit page of summarized Balance Sheet (Audited) and also page of summarized Profit & Loss Account (Audited) for last three years.

- 3.0 The intending tenderer must read the terms and conditions of NBCC carefully. He should only submit his tender if he considers himself eligible and he is in possession of all the documents required. Information and Instructions for Tenderers posted on Website(s) shall form part of Tender Document.
- 4.0 Those intending tenderers/contractors not registered on the website i.e. <https://nbcc.enivida.com> mentioned above with M/s Railtel Corporation of India Ltd are required to get registered beforehand. If needed they can be imparted training on online tendering process as per details available on the website i.e. <https://nbcc.enivida.com>. The intending tenderer must have class-III digital signature to submit the tender.
- 5.0 The Tender Document as uploaded can be viewed and downloaded free of cost by anyone including intending tenderer. But the tender can only be submitted on the e -tender website after having digital signature by the bidder and after uploading all the requisite scanned documents.

6.0 Set of Contract/Tender Documents:

The following documents will constitute set of tender documents:

- a) Notice Inviting e-Tender
- b) Quoting Sheet for Tenderer
- c) Instructions to Tenderer & General Conditions of Contract- 2019 (EPC) with all Amendments.
- d) Physical Milestone
- e) List of approved makes
- f) DBR& Technical Specifications
- g) Memorandum Annexure-I of NIT
- h) Acceptance of Tender Conditions (Annexure-II)
- i) Integrity pact (Annexure-III) (To be signed and stamped by the contractors and scanned copy to be uploaded with the bid)
- j) Addendum/Corrigendum, if any- Duly signed by authorized person
- k) Pre-bid clarifications, if any

7.0 The tenderers are required to quote strictly as per terms and conditions, specifications, standards given in the tender documents and not to stipulate any deviations.

8.0 The bidders are advised in their own interest to submit their bid documents well in advance from last date/time of submission of bids so as to avoid problems which the bidders may face in submission at last moment /during rush hours.

However, after submission of the tender the tenderer can re-submit revised tender any number of times but before last time and date of submission of tender as notified.

9.0 When it is desired by NBCC to submit revised financial tender then it shall be mandatory to submit revised financial tender. If not submitted, then the tender submitted earlier shall become invalid

10.0 On opening date, the tenderer can login and see the tender opening process.

11.0 Contractor can upload documents in the form of PDF format.

12.0 Contractor is required to upload scanned copies of all the documents including valid GST registration /EPF registration/ PAN No. as stipulated in the tender document.

13.0 If the contractor is found ineligible after opening of tenders, or his tender is found invalid, cost of tender document and processing fee shall not be refunded .

14.0 Notwithstanding anything stated above, NBCC reserves the right to assess the capabilities and capacity of the tenderer to perform the contract, in the overall interest of NBCC. In case, tenderer's capabilities and capacities are not found satisfactory, NBCC reserves the right to reject the tender.

15.0 Certificate of Financial Turnover: At the time of submission of tender, the tender shall upload Affidavit/Certificate from Chartered Accountant mentioning Audited Financial Turnover of last 3 years. There is no need to upload entire voluminous balance sheet. However, one page of summarised Balance Sheet (Audited) and one page of summarised Profit & Loss Account (Audited) for last 03 years shall be uploaded.

16.0 In case of Percentage Rate Tender, Contractor must ensure to quote single percentage rate. The column meant for quoting rate in figures appears in pink colour and the moment rate is entered, it turns sky blue. The Rate shall be Quoted upto 2 Decimals.

In case of Item Rate Tender, price shall be entered against each item in the Bill of Quantities/ Schedule of Quantities.

If the tenderer has not quoted for all the items /the entire requirement as specified in the respective schedule/ BOQ, the bid submitted by him shall be treated as unresponsive and be ignored.

17.0 The tenderer(s) if required, may submit queries, if any, through e-mail and in writing to the tender inviting authority to seek clarifications **within 7 days** from the date of uploading of Tender on website but latest by so as to reach NBCC office not less than 2 days prior to the date of Pre-bid meeting (if to be held as per NIT). NBCC will reply only those queries which are essentially required for submission of bids. NBCC will not reply the queries which are not considered fit like replies of which can be implied /found in the NIT/ Tender Documents or which are not relevant or in contravention to NIT/Tender Documents, queries received after 7 days from the date of uploading of Tender on website, request for extension of time for opening of technical bids, etc. Technical Bids are to be opened on the scheduled dates. Requests for Extension of opening of Technical Bids will not be entertained.

The Pre-Bid meeting shall be attended by the intending bidders only and not by vendors/manufacturers. Further, the intending bidders should depute their authorized person with authorization letter in original to attend the pre-bid meeting.

18.0 Integrity Pact (for all contracts valuing Rs. 5.00 Crores and above)

18.1 Integrity Pact duly signed by the tenderer shall be submitted. Any tender without signed integrity Pact shall be liable for rejection.

18.2 Independent External Monitors

- (i) In respect of this project, the Independent External Monitors (IEMs) would be monitoring the bidding process and execution of contract to oversee implementation and effectiveness of the Integrity Pact Program.
- (ii) The Independent External Monitor(s) (IEMs) have been appointed by NBCC in terms of Integrity Pact (IP)-Section 6, which forms part of the tenders/ Contracts. The contact details of the Independent External Monitor (s) are posted on the NBCC's website [i.e. www.nbccindia.com](http://www.nbccindia.com).
- (iii) This panel is authorized to examine / consider all references made to it under this tender in terms of Integrity Pact. The Independent External Monitors (IEMs) shall review independently, the cases referred to them to assess whether and to what extent the parties concerned comply with the obligations under the Integrity Pact entered into between NBCC and Contractor.
- (iv) The Independent External Monitors (IEMs) has the right to access without restriction to all Project documentations of the Employer including that provided by the Contractor. The Contractor will also grant the Monitor, upon his request and demonstration of a valid interest, unrestricted and unconditional access to his Project Documentations. The same is applicable to Subcontractors. The Monitor is under contractual obligation to treat the information and documents of the Bidder / Contractor / Sub-Contractors etc. with confidentiality.

19.0 List of Documents to be scanned and uploaded on e-tender website within the period of tender submission:

- a) Demand Draft/ Pay Order or Banker's Cheque/ Bank Guarantee of any Nationalized or all Commercial Scheduled Bank against EMD as per GCC/NIT.
- b) Demand Draft/Pay Order or Banker's Cheque of any Scheduled Bank towards cost of Tender Document.
- c) **Form-H (as per Performa attached with NIT)** - Affidavit duly notarized by Notary Public on Non Judicial Stamp Paper of Rs. 100 for correctness of Documents /Information.
- d) Unconditional Letter of Acceptance of Tender Conditions (in original) **(Annexure-II) (as per Performa attached with NIT)** (Duly signed on the Letter Head of the Applicant/ Bidder).
- e) Memorandum Annexure-I of NIT.
- f) Integrity pact duly signed by the contractor (Annexure-III) (for all contracts valuing Rs. 5.00 Crores & above). The bidders are required to download the Integrity Pact as uploaded in the tender documents, and sign on the same, put rubber stamp/seal and upload the signed copy on e-tendering websites.-NA
- g) Details of Work Experience Certificates - FORM-A
Details of Similar Works - FORM-B
- h) Financial Details- FORM-C
- i) TDS Details for Private Sector Projects- FORM-D

- j) Self-certified copy of Bank Solvency Certificate- FORM-E
- k) Documents regarding Net Worth of the Company/ Firm.
- l) Power of Attorney/ Board Resolution of the person authorized for signing/ submitting the tender.
- m) E-payment Transaction details towards cost of processing fees.
- n) Valid GST registration/ EPF registration/ PAN NO.
- o) All pages of the entire Corrigendum (if any) duly signed by the authorized person.
- p) Pre-bid clarifications, if any.
- q) General Information – Form-F
- r) Work Experience Certificates consisting of details as mentioned in Form-G
- s) Registration Details of the contractor in the GST Act– Form-I.
- t) Performa for Details of Client Organization in respect of Work Experience Certificates- (Form- M).

NOTE:

1. **The documents at sl. No. a, b, c and d (i.e. Cost of tender document, EMD, Unconditional letter of acceptance duly signed on letter head, Notarized Affidavit for correctness of document/ information) are required to be submitted in original in hard copy also within the period of tender submission. All other documents are not required to be submitted in hard copy.**
2. In case of non-submission of Cost of tender document and/or EMD, the bid shall be rejected out rightly without seeking any further clarification.
3. Unconditional letter of acceptance duly signed on letter head, Notarized Affidavit for correctness of document/information are mandatory documents and are need to be checked carefully for its correctness before submission of tender. The bid shall be rejected out rightly in case of its non-submission without seeking any further clarification/ document. No claim of the bidder whatsoever shall be entertained by NBCC in this regard.
4. The bidders are advised to upload complete details with their bids as Technical Bid Evaluation will be done on the basis of documents uploaded on the website by the bidders with the bids. Please note no fresh document other than in the form of clarification/revision in respect of an existing document shall be accepted after last date of submission of bids.
5. The information should be submitted in the prescribed proforma. Bids with Incomplete/ Ambiguous information are liable to be rejected.
6. All the uploaded documents should be in readable, printable and legible form failing which the Bids are liable for rejection.
7. The Bank Guarantee for EMD submitted by the bidders shall be strictly in the format prescribed in GCC/NIT. In case, Bank Guarantee for EMD is not found verbatim in the prescribed format, the bid will be liable for rejection.

20.0 All the uploaded documents shall be considered as duly signed by contractor/ authorized

representative.

21.0 NBCC reserves the right to reject any or all tenders or cancel/withdraw the invitation for bid without assigning any reasons whatsoever thereof. NBCC does not bind itself to accept lowest tender. The NBCC reserves the right to award the work to a single party or to split the work amongst two or more parties as deemed necessary without assigning any reason thereof. The contractor is bound to accept the portion of work as offered by NBCC after split up at the quoted/ negotiated rates. No claim of the contractor whatsoever shall be entertained by NBCC on this account.

22.0 Canvassing in connection with the tender is strictly prohibited, and such canvassed tenders submitted by the contractor will be liable to be rejected and his earnest money shall be absolutely forfeited.

23.0 For all scheduled BOQ items, the nomenclature /rates/unit of applicable DSR items shall be applicable. In case, any ambiguity is observed in scheduled BOQ items, Nomenclature unit and rate of relevant DSR items will hold good.

23.0 In case of assistance/ problem/ enquiry in uploading documents, Helpdesk Tel. Nos. are available on the website <https://nbcc.enivida.com>.

24.0 For site related queries, please contact **Sh. Nagendra Kumar, GM (Engg)** ,Mobile No. 9873928254 during office hours.

MEMORANDUM

Sl. No.	Description	Cl. No. of NIT/ITT/ Clauses of Contract (CC)	Values/ Description to be Applicable for Relevant Clause(s)
1)	Name of Work		Execution of Solar Rooftop photo voltaic Power Plant of 472.5KW on Design, Engineering, Procurement & Construction (EPC) basis at Four Buildings in RDSDE/NSTI campus at Kanpur
2)	Client/Owner		Indian Institute of Skill(IIS)
3)	Type of Tender		EPC Basis
4)	Earnest Money Deposit	NIT	Rs. 2,75,000.00 (Rupees Two Lakh Seventy Five Thousand only)
5)	Estimated Cost	NIT	Rs. 2,75,00,000/- (Rupees Two Crore Seventy Five Lakh only)
6)	Time allowed for Completion of Work	NIT	90 days
7)	Mobilization Advance	CC / 4.0	Applicable, 10% of Award Value.
8)	Interest Rate of Mobilization Advance and/ or other advances	CC / 4.0, 5.1, 23.4.2	Simple Interest Rate @ 10% (Ten Percent only) (Per Annum)
9)	Schedule of Rates applicable	-	EPC Basis
10)	Validity of Tender	ITT / 8.0	150 (One Hundred Fifty) days from the date of opening of price tender.
11)	Performance Guarantee	CC / 2.0	3% (Three Percent Only) of contract value within 15 days from the issue of Letter of Award
12)	Security Deposit / Retention Money	CC/3.0 of Amendment no. 2 to GCC	5% (Five Percent Only) of the gross value of each running /final bill.
13)	Time allowed for starting the work	ITT/14.0	The date of start of contract shall be reckoned from 10 days after the date of issue of Letter of Award.
14)	Deviation limit beyond which clause 6.2 & 6.3 shall apply for all works except foundation.	CC / 6.0	Not applicable

15)	Deviation limit beyond which clause 6.2 & 6.3 shall apply for foundation work	CC / 6.0	Not applicable
16)	Escalation	CC /7.0	No escalation shall be applicable on this contract for entire contract period as well as extended period for completion of the works, if any.
17)	Recovery rate of work force supplied by NBCC to Contractor	CC /71	Rs. 40,000/- per person per month (Rupees Forty thousand per person per month only) + GST @ 18 % or as prevailing rate on the date of recovery
18)	Defect Liability Period	C/38.0, SCC	24 (Twenty Four) months from the date of taking over the works by the NBCC or client whichever is later.
19)	Bank Guarantee for waterproofing work and anti-termite treatment	CC/52.0 Amendment No-5	NIL
20)	Utilization of products from recycled C&D waste, as per C&D Waste Management Rules, 2016	CC/53.1, Amendment No-5	NIL
21)	Applicable GCC	-	GCC for Contractor- 2021(EPC) with all amendments
22)	GST applicable on this work	CC/18.0	The GST @18% has been considered. Accordingly, the bidder may quote their bid in the tender.

AFFIDAVIT

(To be submitted by bidder on non-judicial stamp paper of Rs.100/ (Rupees Hundred only) duly attested by Notary Public)

Affidavit of Mr.....S/o
R/o

I, the deponent above named do hereby solemnly affirm and declare as under:

1. That I am the Proprietor/Authorized signatory of M/s Having its Head Office/ Regd. Office at
2. That the information/ documents/ Experience certificates/ Bank Guarantee(s) submitted byM/s..... along with the tender for (Name of work) to NBCC are genuine and true and nothing has been concealed.
3. I shall have no objection in case NBCC verifies those from issuing authority(ies). I shall also have no objection in providing the original copy of any of the document(s), in case NBCC demands so for verification.
4. I hereby confirm that in case, any document, information & / or certificate submitted by mefound to be incorrect / false / fabricated, NBCC at its discretion may disqualify / reject / terminate the bid/ contract and also place under holiday list as per NBCC Policy.

I,the Proprietor / Authorised signatory of M/s..... do hereby confirm that the contents of the above Affidavit are true to my knowledge and nothing has been concealed there and that no part of it is false.

DEPONENT

Verified at this day of

DEPONENT

ATTESTED BY (NOTARY PUBLIC)

CCEPTANCE OF TENDER CONDITIONS

(To be submitted in ORIGINAL on the letter head of the company by the authorized officer having power of attorney/ as per Board Resolution)

From: _____
NBCC (India) Limited,

Sub: Name of the work & NIT

Sir,

- i) This has reference to above referred tender. I/We have read/viewed all the terms & conditions and are pleased to submit our tender for the above work and I/We hereby unconditionally accept the tender conditions and tender documents in its entirety for the above work.
- ii) I/we are eligible to submit the tender for the subject tender and I/We are in possession of all the documents required.

Should this tender be accepted, I/We agree to abide by and fulfill all terms and conditions referred to above and as contained in tender documents elsewhere and in default thereof, to forfeit and pay NBCC, or its successors or its authorized nominees such sums of money as are stipulated in the notice inviting tenders and tender documents.

Yours faithfully,

(Signature of the tenderer with rubber stamp)

Dated