

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

NOTICE INVITING e- TENDER



A Navratna CPSE

NBCC (INDIA) LIMITED

(A GOVT. OF INDIA ENTERPRISE)

Central Procurement Group (CPG) Division

NBCC Bhawan, 2nd Floor, Lodhi Road, New Delhi -110003.

Email ID: cpg.ho@nbccindia.com

Date: 28.09.2020

NOTICE INVITING e-TENDER (NIT)

1.0 NBCC invites online percentage rate open e-tenders in two bid system from experienced and eligible Contractors for "Construction of Smart Township/ Colony with colony road network and other road, service buildings and other allied jobs, related to mines for Magadh & Amrapali of CCL at Block Tandwa, Jharkhand" and as per schedule as under:

Tendering Document No.	NBCC/ CPG/ CCL Township/ Jharkhand/ 2020/ 268 dated 28.09.2020
Name of the Work	"Construction of Smart Township/Colony with colony road network and other road, service buildings and other allied jobs, related to mines for Magadh & Amrapali of CCL at Block Tandwa, Jharkhand"
Brief Scope of Work	Construction of Residential, Non residential buildings, Industrial buildings, Intake well, WTP, STP, ETP, MEP works, road works and other works related to campus development as per scope of work and tender documents. The scope of work as mentioned in "GCC and SCC" will also be referred in addition to above.
Estimated Cost	Rs. 659,87,87,633.00 (Rupees Six Hundred Fifty Nine Crores Eighty Seven Lakhs Eighty Seven Thousand and Six Hundred Thirty Three only)
Period for completion	30 Months (Thirty Months)
Maintenance period	01 year (One year) including the defect liability period of 12 months from date of handover/occupancy.
Earnest Money Deposit	Rs. 6,59,87,876.00 (Rupees Six Crores Fifty Nine Lakhs Eighty Seven Thousand and Eight Hundred Seventy Six 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. BG validity required minimum up to 24.04.2021 (Refer ITT-Section- 2 Clause No.04))
Non-refundable cost of Tender document	Rs. 3,54,000.00 (Rupees Three Lakhs Fifty Four Thousand 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.5900.00 (Rupees Five Thousand Nine hundred only) through e-payment gateway to ITI Ltd.
Last date & time of submission of Online Tender	Up to 27.10.2020 by 11:00 AM (IST)
Period during which hard copy in original of EMD, Cost of Tender Document, e-tender processing fee, Letter of Acceptance of tender conditions unconditional, enlistment order of the contractor and other document as per NIT shall be submitted.	Before and Up to 11:00 AM on 27.10.2020 in the Central Procurement Group (CPG Division), 2nd Floor, NBCC (India) Ltd., NBCC Bhawan, Lodhi Road, New Delhi – 110003
Date & Time of Opening of Technical Tender	27.10.2020 at 11:30 AM
Date & Time of Opening of Financial Tender	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 07.10.2020 through email on cpg.ho@nbccindia.com

The tender document can be downloaded from website www.tenderwizard.com/NBCC 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.

"Similar works" shall mean "Residential/ Non-Residential building works of any no. of storeys".

Additional qualifying criteria:-

The bidder shall also meet the following Qualifying criteria(s) during the last 7 years ending initial stipulated last date of submission of tenders as per NIT:

- a) The bidder should also have successfully completed minimum one work valuing 40% of estimated cost put to tender containing atleast one building of minimum 6 storey or G+5 or S+5 or B+5 configuration (Basement/stilts will be counted as storey).

- b) The bidder should also have successfully completed minimum one work of Pre-Engineered building sheds along with allied civil works for a minimum value of Rs. 34.00 Crores.
- ii) The past experience in similar nature of work should be supported by certificates issued by the client's organisation. 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) 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 last day of submission of tenders.
- iv) Joint-venture or Consortia of firms / companies shall be allowed.
- v) **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. However, 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.

However, for participation of real estate builder, who intend to get qualified on the basis of experience of their Own works, shall be considered.

- 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.
- vi) **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 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.

- (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 Nationalised or any Schedule Bank should be 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 summarised Balance Sheet (Audited) and also page of summarised 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. www.tenderwizard.com/NBCC mentioned above with M/s ITI/ 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. www.tenderwizard.com/NBCC. 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 after uploading the mandatory scanned documents such as a) Demand Draft / Pay order or Banker's Cheque towards cost of tender document, b) proof of deposit of e-Tender Processing Fee, c) Demand Draft/Pay Order or Banker's Cheque / Bank Guarantee of any Nationalized or all Commercial Scheduled Bank against EMD& All other documents shall be as per Notice Inviting e-tender.

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 (Vol-I/2019) with Amendment No. 1 & 2
- d) Special Conditions of Contract
- e) Technical Specification
- f) Bill of Quantities
- g) List of approved makes of materials
- h) Tender Drawings
- i) Memorandum Annexure-I of NIT
- j) Integrity pact (Annexure-III) (To be signed and stamped by the contractors and scanned copy to be uploaded with the bid)
- k) Acceptance of Tender Conditions (Annexure-II)

- l) Addendum/Corrigendum, if any- Duly signed by authorized person
 - m) Pre-bid clarifications, if any
 - n) Physical Milestone Annexure I-A
- 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.
- The bidders are advised to submit complete details with their bids as Technical Bid Evaluation will be done on the basis of documents uploaded on website by the bidders with the bids. The information should be submitted in the prescribed proforma. Bids with Incomplete /Ambiguous information will be rejected.**
- The Bank Guarantee for EMD submitted by the bidders shall be strictly in the format prescribed in GCC. In case, EMD is not found verbatim in the prescribed format, the bid will be liable for rejection.**
- 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 JPG format and PDF format.
- 12.0 Contractor 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, his tender shall become invalid and cost of tender document and processing fee shall not be refunded.
- 14.0 If any discrepancy is noticed between the documents as uploaded at the time of submission of tender and hard copies as submitted physically by the contractor the tender shall become invalid and cost of tender document and processing fee shall not be refunded.
- 15.0 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.
- 16.0 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 and submitted in hard copy also.

- 17.0 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. The cost of item against which the contractor has failed to enter a rate or price shall be deemed to be covered by rates and prices of other items in Bill of Quantities / Schedule of Quantities and no payment shall be made for the quantities executed for items against which rate has not been quoted by the contractor. 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 addition to this, while selecting any of the cells a warning appears that if any cell is left blank the same shall be treated as "0". Therefore, if any cell is left blank and no rate is quoted by the tenderer, rate of such item shall be treated as "0" (ZERO).

- 18.0 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.

19.0 Integrity Pact (For all contracts valuing Rs.5.00 Crores and above)

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

19.2 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

(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.

20.0 List of Documents to be scanned, uploaded and also submitted in hard copy 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.
- b) Demand Draft/Pay Order or Banker's Cheque of any Scheduled Bank towards cost of Tender Document.
- c) Memorandum Annexure-I of NIT.
- d) Unconditional Letter of Acceptance of Tender Conditions (in original) (Annexure-II of GCC) (On Letter Head of the Applicant/ Bidder).
- e) Integrity pact duly signed by the contractor (Annexure-III) (for all contracts valuing Rs. 5.00 Crores & above). The bidders are requested 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.

As per section-9 of Integrity Pact, If the Bidder/Contractor is a partnership or a consortium, this agreement must be signed by all partners or consortium members.

- f) Details of Work Experience Certificates - FORM-A
- g) 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) Form-H of GCC - Affidavit duly notarized by Notary Public on Non Judicial Stamp Paper of Rs. 100 for correctness of Documents /Information.
- m) Power of Attorney of the person authorised for signing/submitted the tender
- n) E-payment Transaction details towards cost of processing fees.
- o) Valid GST registration/ EPF registration/ PAN NO.
- p) All pages of the entire Corrigendum (if any) duly signed by the authorized person.
- q) Pre-bid clarifications, if any.
- r) General Information – Form-F
- s) Work Experience Certificates consisting of details as mentioned in Form-G

- t) Registration Details of the contractor in the GST Act– Form-I.
- u) Physical Milestones Annexure I-A

NOTE:

1. **The aforesaid documents are listed out under the head of mandatory documents which can be accessed online on e-tendering website i.e. www.tenderwizard.com/NBCC along with this NIT. All the aforesaid documents are to be prepared, signed by the power of attorney holder, scanned and uploaded against their respective document name. The format to be taken for these documents is specified against the document name.**
2. **All the uploaded documents should be in readable, printable and legible form failing which the Bids are liable for rejection.** The document submitted in hard copy should be indexed and duly page numbered
3. In case of Foreign bidders participating individually, the bidder is exempted from submission of GST/EPF/ESIC registration/PAN etc. including all other statutory registrations/permissions/ approvals for executing work in India during bid submission. However, foreign bidders have to submit undertaking stating that they will be complying with such mandatory requirements within 60 days of issue of Letter of award.

The Contract agreement shall be signed only after meeting out all such requirements. No payment shall be released till such registration(s). In case of non-fulfilment of any such requirement by the bidder in due course of time, EMD shall be forfeited and the party will be put under holiday list.

The foreign bidder can provide the credit limit documents in lieu of Solvency Certificate.

- 21.0 (a) No Clarification will be sought in case of non-submission of Cost of tender document or EMD of requisite amount or Unconditional letter of acceptance or Affidavit for correctness of document/information. In such cases the bid shall be rejected out rightly without seeking any further clarification/document.
- (b) All the uploaded and submitted documents shall be considered as duly signed by contractor/ authorized representative.
- 22.0 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.
- 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 item will hold good.
- 24.0 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.

- 25.0 For site related queries, please contact Sh. Dinesh Namdeorao Barde, DGM (Engg) Mob: 8983331122 during office hours. In case of any query, please contact Shri Gaurav Gaikwad, DGM (Engg), NBCC (I) Ltd, CPG Div., Head Office, Ph. No. 011-24367314 Ext. 1404 , Email: cpg.ho@nbccindia.com

Annexure-I

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		"Construction of Smart Township/Colony with colony road network and other road, service buildings and other allied jobs, related to mines for Magadh & Amrapali of CCL at Block Tandwa, Jharkhand"
2)	Client/Owner		Central Coalfields Limited (CCL), Ranchi, Jharkhand
3)	Type of Tender		Single Percentage rate e-tender
4)	Earnest Money Deposit	NIT	Rs. 6,59,87,876.00 (Rupees Six Crores Fifty Nine Lakhs Eighty Seven Thousand and Eight Hundred Seventy Six only)
5)	Estimated Cost	NIT	Rs. 659,87,87,633.00 (Rupees Six Hundred Fifty Nine Crores Eighty Seven Lakhs Eighty Seven Thousand and Six Hundred Thirty Three only)
6)	Time allowed for Completion of Work	NIT	30 (Thirty) Months for construction and 01 year (One year) maintenance period (including the defect liability period of 12 months)
7)	Mobilization Advance	CC / 4.0	NIL
8)	Interest Rate of Mobilization Advance / Secured Advance	CC / 4.0	NA
9)	Schedule of Rates applicable		Delhi Schedule of Rates-2018 for Scheduled items. Jharkhand SOR- 2018 for Road, drainage and nallah diversion Market rate for Non scheduled items.
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 of Amendment no. 2 to GCC	5 % (Five 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 the 10th day 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	BUILDING WORK	ANNUAL REPAIR & MAINTENANCE OF BUILDINGS	ROAD WORK
			30%	50%	50%
Note:-The Deviation Limit of Building Work shall also apply for combined works (Building and Road)					
15)	Deviation limit beyond which clause 6.2 & 6.3 shall apply for foundation work	CC / 6.0	BUILDING WORK	ANNUAL REPAIR & MAINTENANCE OF BUILDINGS	ROAD WORK
			100%	NOT APPLICABLE	NOT APPLICABLE
Note:-The Deviation Limit of Building Work shall also apply for combined works (Building and Road)					
16)	Escalation	CC /7.0	All rates as per Bill of Quantities (BOQ) quoted by contractor shall be firm and fixed for entire contract period as well as extended period for completion of the works. No escalation shall be applicable on this contract		
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) plus GST @18% or as prevailing rate on the date of recovery.		
18)	Defect Liability Period	CC/38.0	12 months from the date of taking over the works by the NBCC or clients whichever is later.		
19)	GRIHA Rating		The residential and office buildings should satisfy the Silver Standard of Green Building Construction or GRIHA- 3 Star rating in accordance to norms prescribed.		
20)	Applicable GCC	-	GCC for Contractor - 2019 with amendment no. 1 and 2		