



Government of India
**BHABHA ATOMIC RESEARCH
CENTRE**
Nuclear Recycle Group
Waste Management Division



Trombay, Mumbai 400 085
Date: 04/05/ 2023

NOTICE INVITING e-TENDER

TENDER NOTICE No.: BARC/NRG/WMD/RSMS/2023/P-92811

Date : 11/05/2023

1. On line item rate tender in Two parts i.e. Part-A –Techno-commercial Bid and Part-B-Financial Bid are hereby invited through **e-Tendering mode** on behalf of the President of India by Chief Engineer, Nuclear Recycle Group, Bhabha Atomic Research Centre, Trombay, Mumbai-400 085 for the following work from eligible contractors on approved list of CPWD, MES, Railways, State PWDs, Public Sector Undertakings of Central or State Governments / Central Autonomous bodies or those having adequate experience and capabilities to execute similar works of such magnitude in Department of Atomic Energy (DAE).

2.

i) Name of Work	: Revamping and extension of above ground Fire Hydrant pipe line as per attached technical specifications at RSMS, BARC Trombay, Mumbai 85.
ii) Estimated Cost	: Rs. 9360000/- (Rupees Ninety three lakhs sixty thousand only). (Including all taxes and levies)
iii) Earnest Money	: Rs 187200 /- (Rupees one lakh eighty seven thousand two hundred only)
Note: Earnest Money in original to be submitted preferably in the form of Fixed Deposit Receipt or in the form of Demand Draft / Bankers Cheque /Pay Order of a Scheduled Bank, issued in favour of Accounts Officer, BARC, Mumbai	
iv) Cost of Tender Document	: Nil
v) Tender Processing Fee	: Nil
vi) Period of completion	: 12 (Twelve) calendar months including monsoon period.
vii) Dates for Request for purchase / Download of Tender Document (excel / word formats)	: From 12/05/2023 (11:00 Hrs.) to 09/06/2023 (15:00 Hrs.) on website https://eprocure.gov.in/eprocure/app . Detailed NIT is also available on website www.barc.gov.in for view only.
viii) Date of Pre-bid clarification	: The contractors are requested to send their Pre-bid queries by email not later than 22/05/2023 . Pre-Bid meeting along with site visit will be held on 24/05/2023 at 11:00 Hrs. at RSM Site, Bhabha Atomic Research Centre, Trombay, Mumbai - 400085. The Pre-Bid Clarifications will be uploaded on CPP Portal web site https://eprocure.gov.in/eprocure/app by 26/05/2023 .

	E mail for sending the pre-bid queries: solankar@barc.gov.in , atulk@barc.gov.in
ix) Starting date and time of online submission of tenders	12/05/2023 (11:00 Hrs.)
x) Last date and time of closing of online submission of Tender	09/06/2023 (18:00 Hrs.)
xi) Last date for submission of original documents towards Receipt of EMD	: On or before 12/06/2023 (14:00 Hrs.) at North Gate to Shri S.K. Solankar / Shri A.K. Sharma , Nuclear Recycle Group, BARC, Trombay, Mumbai 400085 in a sealed super scribed envelope mentioning name of work and NIT Number. Original documents should be submitted preferably in person. It should not be put in the drop box at North Gate. However, documents sent by post or courier will also be considered provided the same is received within due date & time.
xii) Date and time of online opening of Part A	: 13/06/2023 (11:00 Hrs.)
xiii) Date of opening of Part B of qualified bidders	: Will be notified at a later date.

Information, Eligibility Criteria, Evaluation Criteria, Conditions and Instructions

Information:

3. Tender document is prepared in two parts viz. Part 'A' Techno-commercial bid and Part 'B' (Financial Bid). Part 'A' consists of Techno-commercial Bid viz. Section I – Notice Inviting e-Tender (English & Hindi versions), Section II - Form of Agreement and General Rules and Directions for the guidance of Contractors, Memorandum, Section III – General Conditions of Contract, Additional conditions, Section IV - Special Instructions to Tenderers, Section V – Technical specifications, Section VI - List of Tender Drawings, Section VII – Schedule 'A' (Schedule of Materials to be supplied by Department), Construction time schedule, Appendix 'A' – Bid Security (Bank Guarantee), Appendix 'B' – Form of BG bond for performance security, Appendix 'C' – Indenture for secured advance, Appendix 'D' – Guarantee bond for waterproofing works, Appendix 'E' – Guarantee bond for anti-termite treatment, Annexure 'A' – Statement of men and machinery, Annexure 'B' – List of approved manufacturer of building materials, Annexure 'C' Statement of cash flow for the work, all Corrigendum to Tender Document and Proforma of Schedules 'A' to 'F'. Part 'B' (Financial bid) consists of Schedule 'B' - Schedule of Quantities.

Prospective Bidders or general public can see and download free of cost **PDF format** of the above documents from website <https://eprocure.gov.in/eprocure/app>

To participate in the tender, Prospective Bidders are required to download all the **excel** of Part 'A' – Techno commercial bid containing Techno commercial sheet, Annexure 'A', List of similar works completed & List of works in hand and Part 'B'-Financial Bid containing Schedule 'B' after Login in the Home page of the website <https://eprocure.gov.in/eprocure/app> with their **User ID / Password & Class III Digital Signature Certificate.**

Steps to download EXCEL / PDF documents are following:

Login in website.

Search Tender

Select Tender

Download Documents.

4. REGISTRATION:

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

5. SEARCHING FOR TENDER DOCUMENTS:

- i) There are various search options built in the CPP Portal, to facilitate bidders to search active tenders by several parameters. These parameters could include Tender ID, Organization Name, Location, Date, Value, etc. There is also an option of advanced search for tenders, wherein the bidders may combine a number of search parameters such as Organization Name, Form of Contract, Location, Date, Other keywords etc. to search for a tender published on the CPP Portal.
- ii) Once the bidders have selected the tenders they are interested in, they may download the required documents/tender schedules. These tenders can be moved to the respective ‘My Tenders’ folder. This would enable the CPP Portal to intimate the bidders through SMS/e-mail in case there is any corrigendum issued to the tender document.
- iii) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

6. PREPARATION OF BIDS:

- i) Bidder should take into account any corrigendum published on the tender document before submitting their bids.
- ii) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.

- iii) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document / schedule and generally, they can be in PDF / XLS / RAR /DWF/JPG formats. Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document.
- iv) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the bidders. Bidders can use “MySpace” or “ Other Important Documents” are available to them to upload such documents. These documents may be directly submitted from the “MySpace” area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

Note: My Documents space is only a repository given to the Bidders to ease the uploading process. If Bidder has uploaded his Documents in My Documents space, this does not automatically ensure these Documents being part of Technical Bid.

7. SUBMISSION OF BIDS:

- i) Bids shall be submitted online only at CPPP website: <https://eprocure.gov.in/eprocure/app>
- ii) Bidder should log into the site well in advance for bid submission so that they can upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.
- iii) The bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.
- iv) The agency shall download the pre bid clarification if any for the work and upload the same (scanned copy) duly signed and sealed. The revised documents (if any) shall be uploaded in e tender portal.
- v) Bidders are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. If the price bid has been given as a standard BOQ format with the tender document, then the same is to be downloaded and to be filled by all the bidders. Bidders are required to download the BOQ file, open it and complete the SKY BLUE coloured (unprotected) cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the BOQ file is found to be modified by the bidder, the bid will be rejected.
- vi) Tenderers are advised to upload their documents well in advance, to avoid last minutes rush on the server or complications in uploading. BARC, in any case, shall not be held responsible for any type of difficulties during uploading the documents including server and technical problems whatsoever.
- vii) Submission of the tender documents after the due date and time (including extended period) shall not be permitted.
- viii) Upon the successful and timely submission of bids (i.e. after Clicking “Freeze Bid Submission” in the portal), the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the

bid with all other relevant details.

- ix) Intending Bidders are advised to visit this website regularly till closing date of submission to keep themselves updated as any change/ modification in the tender will be intimated through this website only by corrigendum / addendum/ amendment.

Prospective bidders have to fill the excel documents and upload the same without renaming it and fill and upload the scanned copies of documents in PDF format. Please refer Help Manual for submission of Tender/ contact Help Desk as per NIT.

The Tender documents - Section II, III, IV&V, all corrigendum and Construction safety manual will also form part of Tender Document are available on website <https://eprocure.gov.in/eprocure/app> and www.barc.gov.in tender and NITs

A set of tender drawings (Section VI) for the mentioned works will be made available to the tenderer only for inspection in the office of Tender Inviting Authority during the mentioned tender sale period and bidders, if required can come personally to study the drawings and the same shall not be available on the web site.

All the above documents will form part of Agreement after award of work to the successful bidder.

8. INITIAL ELIGIBILITY CRITERIA :

The bidder should have the following:

- i) The bidder shall be compliant to the Public Procurement (Preference to Make in India), Order 2017 (as amended from time to time) issued Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry. Also, bidder must submit undertaking along with bid for local content of 50 % offered in subject tender.
- ii) Only 'class-I local supplier' as defined Public Procurement (Preference to Make in India), Order 2017, are eligible to participate for subject tender.
 - a) Registration in Appropriate Class of Contractors, if any
 - b) Bank Solvency Certificate of a Nationalized Bank / Scheduled Bank for a minimum of **Rs. 37.44 lakhs** and should not be older than one year from the date of opening of tender.
 - c) Average annual financial turn over (gross) of **Rs. 93.60 lakhs** during the last *available* three consecutive years ending **31st March 2022 balance sheets duly audited by Chartered Accountant**. Year in which no turnover is shown would also be considered for working out the average.
 - d) Should not have incurred any loss (profit after tax should be positive) in more than two years during last five years ending **31st March 2022**.
 - e) Carried out similar works during last 7 yr.
 - f) Performance certificates
 - g) Construction plant & Machinery, equipment, accessories & other infrastructure facilities to complete the work in time.
 - h) Required Technical staff.
 - i) Permanent Account Number (PAN), valid GST, PF Reg. No. & TDS certificates
 - j) The bidder should have satisfactorily completed (based on certification of performance by client of the works) **3 (Three)** similar works each of value not less than **37.44 lakhs** or **2 (Two)** similar works each of value not less than **Rs. 56.16 lakhs** or **1 (One)** similar work of value at least **Rs. 74.88 lakhs** during the last 7 (Seven) years ending up to previous day of the last date of submission of tenders and if the eligible similar works are

not carried out in Central Government / State Government / Public Sector Undertaking of Central or State Governments / Central Autonomous bodies, then TDS certificates should be produced by bidder for the same.

9. For the purpose, 'cost of work' shall mean gross value of the completed work including the cost of materials supplied by the Govt./Client, but excluding those supplied free of cost. For the purpose of clause Similar Works means **“Fabrication of Fire Hydrant (C.S.) piping and it’s associated Components”**. **The similar works should have been executed in India.**

10.

- a) The value of executed works shall be brought to the current costing level by enhancing the actual value of work at simple rate of 7 % per annum, calculated from the date of completion to previous day of last date of submission of tenders.
- b) The bidding capacity of the contractor applicable should be equal to or more than the estimated cost of the work put to tender. The bidding capacity shall be worked out by the following formula:

$$\text{Bidding Capacity} = [A \times N \times 2] - B$$

Where,

A: Maximum Value of construction works executed in any one year during the last five years taking into account the completed as well as works in progress.

N: Number of years prescribed for completion of work for which bids have been invited.

B: Value of existing commitments and on-going works to be completed during the period of completion of work for which bids have been invited.

11. **Bidder should be a registered firm in India. Joint Ventures and or Consortiums are not acceptable.**

12. **Pre Qualification:**

12.1 Part 'A' Techno Commercial Cum Pre-Qualification Bids shall be opened on the stipulated date and time indicated. On opening date, the bidders can login and see the status of Bids after opening. Only those bidders who satisfy eligibility criteria shall be Evaluated.

12.2 After opening of Part 'A' of tender Chief Engineer shall constitute an inspection team which will visit all the eligible similar works executed and submitted by the bidders to evaluate the capability of the bidders based on the following.

Sr. No.	Criteria	Maximum Marks
1	Financial Strength (FORM 'A' and 'B')	20
2	Experience in Similar nature of work during last seven years (FORM 'C')	20
3	Performance on works (FORM 'E') Time Over Run	20
4	Performance on works (FORM 'E') Quality	15
5	Personnel and Establishment (FORM 'G')	10
6	Proposed Plant & Equipment (FORM 'H')	15
Total		100

To pre-qualify, the bidders must obtain at least **Fifty percent** marks in each criterion and

Sixty percent marks in aggregate. The PQ will be evaluated as per the marking system given below.

Note: The average value of performance of works for time over run and quality shall be taken on the basis of performance report of the eligible similar works.

Bidders will be evaluated for the following criteria:

Sr. No.	Attributes	Marks	Evaluation				
(a)	Financial Strength	20	(i) 60% marks for minimum eligibility criteria (ii) 100% marks for twice the minimum eligibility criteria or more In between (i) & (ii) on pro-rata basis				
	i) Average Annual Turnover	16					
	(ii) Solvency Certificate	4					
(b)	Experience in Similar nature work during last seven years	20	i) 60% marks for minimum eligibility criteria ii) 100% marks for twice the minimum eligibility criteria or more In between (i) & (ii) – on pro-rata basis				
(c)	Performance on works – Time Over - Run	20	Score				Maximum Marks
Calculation for points			1.00	2.00	3.00	>3.50	1.00
i)	Without levy of compensation		20	15	10	10	20
ii)	With levy of compensation		20	5	0	-5	20
iii)	Levy of compensation not decided		20	10	0	0	20
TOR = AT/ST where AT=Actual Time, ST= Stipulated Time Note: Marks for values in between the stages indicated above is to be determined by straight line variation basis							
(d)	Work Performance on Quality & Safety	15					
i)	Very Good		15 marks				
ii)	Good		10 marks				
iii)	Fair		5 marks				
iv)	Poor		0 marks				
(e)	Personnel & Establishment	10					
i)	Engineering Graduate		1 mark for each up to max. 1 mark				
ii)	Engineering Diploma		1 mark for each up to max. 1 mark				
iii)	Supervisor / Foreman with the knowledge of Safety		1 mark for each up to max. 1 mark				
iv)	Qualified Draftsman		1 mark for each up to max. 1 mark				
v)	Qualified Welder		1 mark for each up to max. 2 marks				
vi)	Qualified Fitters		1 mark for each up to max. 2 marks				
vii)	Helpers		0.5 marks for each up to max. 2 marks				
(f)	Plant and Equipment	15					

i)	GTAW Welding machines (Min. 2 Nos.)		1 mark for each up to max. 2 marks
ii)	SMAW Welding machines (Min. 2 Nos.)		1 mark for each up to max. 2 marks
iii)	Gas cutting sets (Min. 2 Sets)		1 mark for each up to max. 2 marks
iv)	Drilling Machines (Bench mounted and hand operated) (Min. 2 Nos.)		1 mark for each up to max. 2 marks
v)	Angle grinder in various sizes (Min 4 Nos.)		0.5 mark for each up to max. 2 marks
vi)	Site material handling system (Chain Pulley etc.) (Min 1 set)		1 mark for each up to max. 1 mark
vii)	Welding oven (Min. 1 No)		1 mark for each up to max. 1 mark
viii)	Steel scaffolding (Min. 1 Set)		1 mark for each up to max. 1 mark
ix)	Tool Box including measuring set (Min. 2 Sets)		0.5 mark for each up to max. 1 mark
x)	PPEs and Safety wears		Max. 1 mark

Conditions :

12.3 DISQUALIFICATION OF TECHNICAL BIDS :

The Department however reserves the right to verify the particulars furnished by the bidder independently and reject any bid without assigning any reason and to restrict the list of pre-qualified contractors to any number deemed suitable in case too many bids are received satisfying the basic Pre- Qualification criteria. Even though a bidder may satisfy the above requirements, the bidder may be liable to disqualification if the bidder has:

- a) Made misleading or false representation or deliberately suppressed the information or not submitted sufficient information in the forms, statements and enclosures required in the e-tender document.
- b) Record of poor performance such as abandoning work, not properly completing the contract, or financial failures /weaknesses etc.

Bidder should furnish the following financial information: Annual financial statement for the last five years (in Form "A"). Solvency Certificate from bankers in the prescribed form "B".

12.4 FINANCIAL INFORMATION :

Bidder should furnish the following financial information: Annual financial statement for the last five years (in Form "A"). Solvency Certificate from bankers in the prescribed form "B".

12.5 EXPERIENCE IN SIMILAR WORKS :

12.5.1 Bidder: furnish the following:

- a) List of all works of similar class successfully completed during the last seven years (in **Form "C"**)
- b) List of all the projects under execution or awarded (in Form "D").

12.5.2 Particulars of completed works and performance of the bidder duly authenticated /certified by an officer not below the rank of Executive engineer or equivalent should be uploaded for each work completed or in progress (in **Form " E"**)

12.6 ORGANISATION INFORMATION :

Bidder is required to submit information in respect of his organization (in **Forms "F" & "G"**).

- a) Name & Postal Address, including Telephone, Fax Number, E-mail address, etc.
- b) Copies of original documents defining the legal status, place of Registration and principal places of business.
- c) Names & addresses of the Directors and Officers to be concerned with the work, with designation of individuals authorized to act for the organization.
- d) Information on any litigation in which the bidder was involved during the last seven years, including any current litigation.
- e) Authorisation for employer to seek detailed references.
- f) Number of Technical & Administrative Employees in parent company, subsidiary company and how these would be involved in this work (in Form "G")

12.7 CONSTRUCTION PLANT & EQUIPMENT :

Bidder should furnish the list of construction plant and equipment including steel shuttering, centering and scaffolding likely to be used in carrying out the work (in Form "H"). Details of any other plant & equipment required for the work (not included in Form H and available with the bidder) may also be indicated.

12.8 PRE-BID MEETING FOLLOWED BY SITE VISIT:

A pre-bid conference shall be held on published date, time and venue. All bidders who have downloaded the bid document are requested to go through the entire tender document including tender specifications and list out their deviations, perceptible ambiguities, need of additional clarification etc. and send them by e-mail (refer Note 5 for the e-mail address) before the "Last date of receipt of Pre-bid queries" indicated in tender notice. The tender drawings will be kept for viewing during pre-bid conference. The bidders are requested to send their representative for pre-bid conference positively (although it is not mandatory). The minutes of this pre-bid conference which shall be posted in above website for all bidders to download, shall form a part of tender document. It shall be deemed that all bidders who submit their bid (whether they attended pre-bid conference or not) have accepted pre-bid conference minutes without any deviation.

Bid conference shall be notified to the bidders. In case competent authority of BARC decides to revise the technical specification and bids, the revised document shall be uploaded by BARC to invite revised financial bid, and bidder shall upload the revised financial bid within notified date and time. In case no revision of bids is desired by competent authority, only minutes of meeting of the pre-bid conference shall be uploaded. These minutes of meeting shall also be the part of tender. The date of opening of original/ revised Part – B (Financial) as applicable shall be notified to the Part – A qualified bidders.

13. After opening of "Part A" of tender Chief Engineer shall constitute an inspection team which will visit selected work sites of ongoing / completed works of the tenderers to evaluate the capability of the tenderers based on the following.
 - a) Financial capability and their turnover during the last 5 years.
 - b) Technical capabilities of the company in the light of subject work.
 - c) Nature of works executed by the tenderer during last 7 years.
 - d) Organisational structure of the company.
 - e) Necessary Resource required by Company to carry out the subject work.
 - f) Time & quality consciousness.

- g) Tendency of the company with regard to making extraneous claims and disputes.
- h) Site planning ability.
- i) Tendency of the company to award the work on back-to-back / subletting.

13.1 Opening of Financial bid (Part 'B'):

The Financial bid (Part 'B') of qualified bidders shall only be opened online on the stipulated date and time and will be informed online to qualified bidders.

13.2 Placement of Work order :

Financial bid shall be evaluated and approved by the competent authority before placement of work order to the successful bidder.

13.3 Cancellation of tender by competent authority :

The competent authority reserves the right to cancel any or all tenders or to allot part of works to different agencies without incurring any liability to the Department and without assigning any reason thereof.

13.4 General :

- a) All information called for in the enclosed forms should be furnished against the relevant columns in the forms. Even if no information is to be provided in a column, a "Nil" or "no such case" entry should be made in that column. If any particulars /queries are not applicable in case of the bidder, it should be stated as "Not Applicable". The bidders may please note that giving incomplete/ unclear information called for in the tender forms, or making any change in the prescribed forms, or deliberately suppressing any information, may result in disqualification of the bidder summarily.
- b) References, information and certificates from the respective clients certifying suitability, technical knowhow or capability of the bidder should be signed by an officer not below the rank of Executive Engineer or equivalent.
- c) The bidder may furnish any additional information, which he thinks is necessary to establish his capabilities to successfully complete the envisaged work. He is, however, advised not to furnish superfluous information. No information shall be entertained after submission of pre-qualification document unless it is called for by the Employer.
- d) If the bidder is a limited company or corporation, the application shall be signed by a duly authorised person holding power of attorney for signing the application accompanied by a copy of the power of attorney. The bidder should also furnish a copy of the Memorandum of Articles of Association duly attested by a Public Notary.

13.5 Final Decision-Making Authority.

The Competent Authority reserves the right to accept or reject any bid and to annul the pre-qualification process and reject all bids at any time, without assigning any reason or incurring any liability to the bidders.

13.6 Particulars of work are Provisional

The particulars of the work given are provisional. These are liable to change and shall be considered only as advance information.

- 14.** As per the security procedure in force in Bhabha Atomic Research Centre, the successful bidder shall be vetted by the Security Section of BARC before award of the work.
- 15.** No modifications in the tender shall be allowed after opening Part 'A'.
- 16.** Tenders with any condition including conditional rebate shall be rejected. However, tenders

with unconditional rebate will be accepted.

17. If any information furnished by the applicant is found to be incorrect at a later stage, they shall be liable to be debarred from tendering / taking up works in BARC in future forever. Also if such a violation comes to the notice of Department before start of work, the Engineer-in-charge shall be free to forfeit the entire amount of EMD & Performance Guarantee.
18. The time allowed for carrying out the work will be reckoned from the 15th day after date of written order to commence the work or from the first day of handing over of the site, whichever is later, in accordance with the phasing, if any, indicated in the tender documents.
19. Tender will be kept valid for **180 (One Hundred Eighty) days** from the Last date of closing of online submission of tenders or from the date of online submission of revised financial bids (if any) whichever is later.
20. In case the last date of receipt of original document towards EMD and opening of tender are declared as holiday, the respective date shall be treated as postponed to the next working day, correspondingly.
21. Original Demand Draft/Bankers Cheque/Pay Order / Fixed Deposit Receipt / Bank Guarantee, if any of a Scheduled Bank towards Earnest Money Deposit as applicable shall be submitted at aforementioned place, date and time otherwise Tenders are liable to be rejected and will not be processed further
22. The contractor whose tender is accepted will be required to furnish by way of security deposit for the due fulfilment of his contract, such sum as will amount to 2.5% of the tendered value of work. In addition, the contractor shall be required to deposit an amount equal to 3% of the tendered value of the contract as Performance Security before commencement of the work but not later than stipulated date of commencement. Performance Security of 3% can also be accepted in the form of Bank guarantees (in case Performance Security exceeds ` 1.00 Lakhs), fixed deposit receipts of Scheduled Bank or in the form of Government Securities.
23. The Security Deposit will be collected by deductions @ 2.5 % of the gross amount of the running bill of the contractors till the total security deposit recovered will amount to 2.5% of the tendered value of work. The Security deposit will also be accepted in the form of Governments Securities, Fixed deposit Receipts of Scheduled Bank and Nationalised Bank. These shall be endorsed in favour of the Accounts Officer, BARC, Mumbai.
24. If the successful tenderer, fails to furnish the prescribed performance guarantee on or before stipulated dates of commencement the department (BARC) shall without prejudice to any other right or remedy, be at liberty to suspend the bidder for one year from the date of issue of suspension order.
25. The acceptance of tender shall rest with department which does not bind itself to accept the lowest tender and reserves to itself the authority to reject any or all of the tenders received, without assigning any reason. All tenders in which any of the prescribed conditions are not fulfilled or incomplete in any respect are liable to be rejected.

26. Canvassing in connection with tenders is strictly prohibited and the tenders submitted by the contractors who resort to canvassing will be liable for rejection.
27. On acceptance of the tender, the name of the accredited representative(s) of the contractor who would be responsible for taking instructions from the Engineer-In-charge shall be communicated to the Engineer-In-charge.
28. The department reserves the right to accept the whole or only part of the tender and the tenderer shall be bound to perform the same at the rates quoted.
29. **LEVY/TAXES Payable by Contractor:**
- i) The contractor should be registered under Goods & Service Tax (GST) and GST as applicable as per the extent order on the work shall be paid by the contractor to concerned tax authorities.
 - ii) The quoted rate shall be inclusive of GST and shall be payable by the contractor and BARC will not entertain any claim whatsoever in this respect. Goods & Services Tax (GST) or any other tax applicable in respect of inputs procured by the Contractor for this contract shall be payable by the contractor and Government will not entertain any claim whatsoever in respect of the same. However, component of GST at time of supply of service (as provided in CGST Act 2017) provided by the contract shall be varied if different from that applicable on the last date of receipt of tender including extension if any.
 - iii) Labour welfare cess @1% of gross value of work done shall be recovered from each bill paid to the contractor.
 - iv) Income tax and cess as applicable shall be deducted from each bill paid to the contractor.
 - v) Contractor should be registered under EPF & ESIC and as per law, or if Department asks for, then contractor shall pay EPF & ESIC of contract workers to concerned Department and it will be reimbursed to him by the Department after satisfying that it has been actually and genuinely paid by the contractor. The bidder should not consider EPF & ESIC in his rates. Contractors shall comply with provisions of EPF Act, 1952 in respect of all the eligible employees/ workers/ labours and submit the documentary proof regularly with every RA Bill.
 - vi) Any other taxes /cess as per Government directives shall be deducted from each bill paid to the contractor, from time to time.
30. If any tenderer withdraws his tender within the validity period and before award of work whichever is earlier or make any modifications in the terms and conditions of the tender which are not acceptable to the department, then the Government shall without prejudice to any right or remedy, be at liberty to suspend the bidder for one year from the date of issue of Suspension order. Further, the tenderer shall not be allowed to participate in the re-tendering process of the work.
31. After award of work to the successful bidder, the contractor shall submit time schedule & cash flow statement for approval of Competent Authority which will form part of Agreement.

- 32. The Successful bidder whose tender is accepted will be required to obtain Police Verification Certificate (PVC) issued by Special Branch of Police at his own cost for all his workmen i.e. Engineers, Supervisors and Labourers' to work inside BARC and should quote accordingly. The PVC will be valid for three years.**

In case of receipt of any adverse charter and antecedent remarks/ notification against the Contractor/ Company/ firm/proprietor and/ or his contract personnel, consequent to the security vetting, BARC reserves absolute right to terminate the contract forthwith without assigning reason/ show cause notice. Under the circumstance the Contractor will have no right to claim good any losses/liability that may be incurred as consequence to the above action initiated by BARC. BARC also reserves the right to forfeit in part/full performance security and/ or security deposit in possession of the Government for failure on the part of the contractor to abide/adhere to the Security instruction issued by DAE/ BARC from time to time.

Instructions:

- 33.** The contractor should be registered with <https://eprocure.gov.in/eprocure/app>. Those contractors not registered on the website mentioned above, are required to get registered. If needed, they can be imparted training for online bidding process as per details available on the website.
- 34.** The intending bidder must have valid class-III digital signature for Request for purchase / Download of Tender Document (excel / word formats).
- 35.** The bid can only be submitted / uploaded after providing Fixed Deposit Receipts and or Bank Guarantee of any Scheduled Bank towards Earnest Money Deposit and other documents as specified.
- 36.** Tenders will be received online up to time & date as mentioned in the NIT details above. Part A will be opened on the time & date as mentioned in the NIT details above. The receipt of EMD will be checked first. If found in order, Part 'A' will be opened. After opening of Part 'A', for evaluation, the contractor's Techno-commercial Bid related documents shall be evaluated and accordingly tenderers will be qualified/disqualified by the Competent Authority. The Part 'B' (Financial Bid) of the qualified tenderers shall then be opened at notified date and time. Date of opening of Part 'B' (Financial Bid) will be intimated to all bidders through the CPP Portal website.
- 37.** The Financial Proposal/Commercial bid / BoQ format is provided as BoQ_XXXX.xls along with this tender document at <https://eprocure.gov.in/eprocure/app>. Bidders are advised to download this BoQ_XXXX.xls as it is and quote their offer/rates in the permitted column and upload the same in the commercial bid. Bidder shall not tamper/modify downloaded price bid template in any manner. In case if the same is found to be tampered/modified in any manner, tender will be completely rejected and action will be taken as per Bid Security Declaration Form-Annexure 1.
- 38.** On opening date, the contractor can login and see the status of Bids after opening.
- 39.** Contractor must ensure to quote rate of each item. The column meant for quoting rate in figures appears in SKY BLUE. 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 bidder, rate of such item shall be treated

as "0" (ZERO).

40. List of Documents to be scanned from original & uploaded within the period of bid submission by bidder:

- i) Financial Turn Over certified by CA
- ii) Profit & Loss statement certified by CA
- iii) Latest Bank Solvency Certificate
- iv) List of Construction Plants and Machinery
- v) List of Technical Staff
- vi) Certificates:
 - a) Registration certificate, if any
 - b) Certificates of Work Experience / Performance Certificates
 - c) Certificate of Registration for GST
 - d) PAN (Permanent Account Number) Registration
 - e) Certificate of Registration for EPF & ESIC
- vii) Form 'E' – Performance report of works
- viii) FDR/DD/PO/BC of any Scheduled Bank against EMD.
- ix) Undertaking that the eligible similar work(s) have not been executed through another contractor on back to back basis.
- x) Undertaking as per Part A: Section II & Clause 11 of General Conditions of Contract.
- xi) Undertaking on bidder's letter head as under:

"I / We, hereby tender for the execution of the work specified for the President of India within the time specified in Schedule "F", viz., Schedule of Quantities and in accordance in all respects with the specifications, designs, drawings and instructions in writing referred to in Section II of Part A and Clause - 11 of the General Clauses of Contract and with such materials as are provided for, by, and in respects in accordance with, such conditions so far as applicable".

- xii) Tender Acceptance letter as shown in Annexure 2.
- xiii) Undertaking on bidder's letter head as under:

"We _____ (Name of bidder) undertake that we meet the mandatory Local Content (LC) requirement for qualifying as 'Class I Local Supplier' as per the PP-LC Policy, against tender no. _____.
The percentage of Local Content in the bid is _____% ".
- xiv) Appendix F: As given under additional clauses.

Note: During technical and PQ evaluation missing documents, if any, can be asked by inspection committee for submission.

**41. The Bidder is required to fill the following: Part - 'A'- (Techno-commercial Bid)
Part - 'B'-Schedule - 'B' (Financial Bid).**

42. Additional Clauses:

- i) Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.
- ii) "Bidder" (including the term 'tender', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or

companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or officer controlled by such person, participation in a procurement process.

- iii) “Bidder from a country which shares a land border with India” for the purpose of this Order means :-
- a) An entity incorporated, established or registered in such a country; or
 - b) A subsidiary of an entity incorporated, established or registered in such a country; or
 - c) An entity substantially controlled through entities incorporated, established or registered in such a country; or
 - d) An entity whose beneficial owner is situated in such a country; or
 - e) An Indian (or other) agent of such an entity; or
 - f) A natural person who is a citizen of such a country; or
 - g) A consortium or joint venture where any member of the consortium of joint venture falls under any of the above.
- iv) The beneficial owner for the purpose of (iii) above will be as under:
In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.

Explanation:

- 1)
 - a) “Controlling ownership interest” means ownership of or entitlement to more than twenty-five percent of shares or capital or profits of the company.
 - b) “Control shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
- 2) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
- 3) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals,
- 4) Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
- 5) In case of trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

- v) An Agent is a person employed to do any act for another, or to represent another in dealings with third person.
- vi) The successful bidder shall not be allowed to subcontract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.
- vii) Eligible source countries: Any Bidder, from a country which shares a land border with India must comply to the Order (Public Procurement No.1) & Order (Public Procurement No. 2) issued by Public Procurement Division, Department of Expenditure, ministry of Finance, Government of India vide F. No. 6/18/2019-PPD dated 23.07.2020 and its addendum from time to time. Also, the bidder shall provide a certificate as per proforma given 'Appendix- F'. If such declaration or certificate is found to be false or to be incorrect at any time of submission of Bid or after awarding the Contract, then the said Contract will be terminated, along with such other actions as may be permissible under the relevant law of India.

Notes:

- 1) Registered contractors can only purchase/download & submit/upload tenders.
- 2) Interested agencies may visit website <https://eprocure.gov.in/eprocure/app> for registration.
- 3) Contact for assistance/ clarifications (022) **25591138**, (022) **25591031**.
- 4) Contact for assistance for registration and participation in e-Tendering: 24 X 7 CPP portal Help desk. No. 0120 4001002 / 0120 4001005 / 0120 6277787 and 022 25487480 (on working days 10:00 – 18:00 hrs only). online support: <URL://https://eprocure.gov.in/eprocure/app>
- 5) Email Ids for sending request for Site visit / clarifications. Bidders should send complete details of person going to attend Prebid meeting to solankar@barc.gov.in , atulk@barc.gov.in
- 6) **In case difference between wordings of English and Hindi version of NIT, the English version will prevail.**

(Sd...)
Chief Engineer
Nuclear Recycle Group
Bhabha Atomic Research Centre
For and on behalf of President of India

FORM OF CERTIFICATE FOR ELIGIBLE SOURCE COUNTRIES

(To be submitted on Bidder's Letter head)

I/We, (Name of the Bidder), have read the **NIT clauses** regarding restrictions on procurement from a Bidder of a country which shares a land border with India, and I/we am/are not from such a country'' or, from such a country (indicate country.....), have been registered with Competent Authority and submit a certificate herewith as an evidence of valid registration by the 'Competent Authority'.

I/We hereby certify that I/We am/are fulfilling all requirements in this regard and eligible to be considered, in accordance to **NIT clauses**.

I/We acknowledge the right of the Employer that absence of such a certificate in the bid, if the Bidder belongs to such country stated above, shall disqualify the Bidder.

I/We acknowledge the right of the Employer to terminate the Bidder for false declaration or certificate, along with such other actions as may be permissible under law.

(Signature of the Bidder)

TENDER ACCEPTANCE LETTER
(To be given on Company Letter Head)

Date :

To,
The Chief Engineer,
NRG, BARC
Trombay, Mumbai 400085

Sub: Acceptance of Terms & Conditions of Tender
(Tender Reference No: **BARC/NRG/WMD/RSMS/2023/** **Dated: /05/2023)**

Name of the Tender / Work: _____

Dear Sir,

1. I/We have downloaded / obtained the tender document(s) for the above-mentioned Tender / Work from the web site(s) namely: <https://eprocure.gov.in/eprocure/app> and www.barc.gov.in as per your advertisement, given in the above-mentioned website(s).
2. I /We hereby certify that I /We have read the entire terms and conditions of the tender documents (including Tender documents, annexure(s), schedule(s), corrigendum(s), Technical Specifications for Civil and Public Health works, Construction Safety Manual for Works Contract etc., available at BARC website <http://barc.gov.in/tenders/> under Other Information section etc.), which will form part of the contract agreement and I / we shall abide hereby by the terms / conditions / clauses contained therein.
3. The corrigendum(s) issued from time to time by your department/ organisation too have also been taken into consideration, while submitting this acceptance letter.
4. I / We hereby unconditionally accept the tender conditions of above-mentioned tender document(s) / corrigendum(s) in its totality /entirety.
5. I / We do hereby declare that our Firm has not been blacklisted/ debarred by any Govt. Department/Public sector undertaking.
6. I / We certify that all information furnished by our Firm is true & correct and in the event that the information is found to be incorrect/untrue or found violated, then your department/ organisation shall without giving any notice or reason therefore or summarily reject the bid or terminate the contract, without prejudice to any other rights or remedy including actions taken by Department as per Bid-Security Declaration Form – Annexure 1.

Yours Faithfully,

(Signature of the Bidder, with Official Seal)