सत्यमेव जयते
Government of India
BHABHA ATOMIC RESEARCH CENTRE
Nuclear Recycle Group

TECHNOLOGIES FOR NEW INDIA@75
आज़ादी का अमृत महोत्सव

Trombay,
Mumbai - 400 085

NOTICE INVITING e-TENDER

TENDER NOTICE No.: BARC/NRG/PSDD/EDS/ETP LAB /2023/79668 Dated 26/06/2023

I. NIT Details:

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).

i)	Name of Work	:	"Modification & maintenance of ventilation system and negative pressure system with its associated Piping, lab exhaust, fume hood and cooling system at NRG, BARC, Trombay as per the technical specification"
ii)	Estimated Cost	:	Rs. 32, 90,000/- (Rs Thirty Two Lakh Ninety Thousand only.)
iii)	Earnest Money	:	Rs. 65,800/- (Rs Sixty Five Thousand Eight 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. A part of Earnest Money is acceptable in the form of Bank Guarantee also. In such case minimum 50 % of the Earnest Money or **₹ 20.00 Lakhs**, whichever is less, shall be in the form prescribed above and balance can be accepted in the form of Bank Guarantee issued by a Scheduled Bank as per Appendix 'A' of Tender Part 'A'.			
iv)	Cost of Tender Document	:	**NIL**
v)	Tender Processing Fee	:	**NIL**
vi	Period of completion	:	**8 (Eight)** calendar months including monsoon period.
vii)	Dates of availability of Tender Documents for Download	:	From **30/06/2023 (11:00 Hrs.) to 28/7/2023 (14:00 Hrs.)** To Download – please visit CPPP website on : 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 **10/7/2023.** Pre-Bid meeting along with Site Visit will be held 11/7/2023. The Pre-Bid

			clarifications will be uploaded in CPPP website by 14/07/2023.
ix)	Start date and time of online submission of tenders	:	**30/06/2023 (11:00 Hrs.)**
x)	Last date and time of closing of online submission of tenders	:	**28/7/2023 (15:00 Hrs.)**
xi)	Last date for submission of EMD	:	**On or before 1/8/2023 (15:00 Hrs.)** at North Gate to Head, PSDD, 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. 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 i.e. Technical Bid	:	**02/08/2023 (11:30 Hrs.)**
xiii)	Date of opening of Part -B i.e. Financial Bids of qualified bidders	:	Will be notified at a later date.

II. Initial Eligibility Criteria:

2. i) The bidder shall be compliant to the Public Procurement (Preference to Make in India), Order 2017 (as amended from time to time) issued by 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 ---- % offered in subject tender.

ii) Only 'Class-I local supplier' as defined in Public Procurement (Preference to Make in India), Order 2017, are eligible to participate for subject tender.

iii) The bidder should have the following:

(a) Registration in Appropriate Class of Contractors, if any
(b) Bank Solvency Certificate of a Nationalized Bank / Scheduled Bank for a minimum of **₹ 13.16 Lakhs** and should not be older than one year from the date of opening of tender.
(c) Average Annual Financial Turnover on construction works should be at least **₹ 32.9 Lakhs**, during the immediate last 3 consecutive financial years ending **31st March 2023**. This should be duly audited by a registered Chartered Accountant.
(d) Should not have incurred any loss in more than two years during last five years ending **31st March 2023**.
(e) Carried out similar works during last 7 years.
(f) Performance Certificates.
(g) Construction Plant & Machinery, equipment's, accessories & other infrastructure facilities to complete the work in time.
(h) Required Technical Staff.
(i) Permanent Account Number (PAN) & GST Certificate.

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 **₹ 13.16 Lakhs** or **2 (Two)** similar works each of value not less than **₹ 19.74 Lakhs** or **1 (One)** similar work of value at least **₹ 26.32 Lakhs** during the last 7 (Seven) years ending on the last day of the month previous to the one in which the tenders are invited/the works completed up to previous day of the last date of submission of tenders shall also be considered 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.

3. 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, erection of Stainless Steel equipment and piping work." The similar works should have been executed in India.**

4. 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 last date of submission of tenders.

5. 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:

Bidding Capacity = [A x N x 2] – B

Where,

A = Maximum Value of 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 ongoing works to be completed during the period of completion of work for which bids have been invited.

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

III. Information:

7. 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), 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, all corrigendums to tender documents and Proforma of Schedules 'A' to 'F'. Part 'B' (Financial bid) consists of Schedule 'B' - Schedule of Quantities**.** All the above documents will form part of Agreement after award of work to the successful bidder.

OBTAINING OF STANDARD DOCUMENTS: Prospective Bidders or general public can see and download free of cost **PDF format** of the above documents from website www.barc.gov.in☛Tenders and NITs☛Other Information

IV. Guidelines for e-Tendering in CPPP website:

To participate in the Tendering process on the CPP Portal, Prospective Bidders require a valid Class III Digital Signature Certificates. All the documents related to the eligibility criteria of tender should be submitted electronically through CPPP portal only. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at: https://eprocure.gov.in/eprocure/app**.**

8. Registration

(i) Bidders are required to enrol 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.

(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 / nCode / eMudhra 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.

9. 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.

10. 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 "My Space" or "Other Important Documents'' area 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.*

11. 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) Bidder has to select the payment option as "offline" to pay the EMD as applicable and enter details of the instrument.

(v) Bidder should prepare the EMD as per the instructions specified in the tender document as applicable. The original should be posted/couriered/given in person to the concerned official, latest by the last date of bid submission or as specified in the tender documents. The details of the DD/any other accepted instrument, physically sent, should tally with the details available in the scanned copy and the data entered during bid submission time. Otherwise the uploaded bid will be rejected.

(vi) 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.

(vii) 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.

(viii) 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.

(ix) Bid documents may be scanned with 100 dpi with black and white option which helps in reducing size of the scanned document.

(x) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.

(xi) Submission of the tender documents after the due date and time (including extended period) shall not be permitted.

(xii) All the documents being submitted by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done. Any bid document that is uploaded to the server is subjected to symmetric encryption using a system generated symmetric key. Further this key is subjected to asymmetric encryption using buyers/bid opener's public keys. Overall, the uploaded tender documents become readable only after the tender opening by the authorized bid openers.

(xiii) 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.

(xiv) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid.

(xv) 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.

12. Assistance to Bidders

1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.

2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk.

13. Conditions:

13.1 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.

13.2 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"**

13.3 EXPERIENCE IN SIMILAR WORKS

13.3.1 Bidder should 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"**).

13.3.2 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")**

13.4. ORGANISATION INFORMATION

Bidder is required to submit information in respect of his organisation (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")

13.5 CONSTRUCTION PLANT & EQUIPMENT

Bidder should furnish the list of construction plant and equipment including steel shuttering, centring 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.

13.6 PRE-BID MEETING FOLLOWED BY SITE VISIT:

I. 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.

II. Intending Bidders are advised to inspect and examine the site and its surroundings and satisfy themselves before submitting their bids as to the nature of the ground and sub-soil (so far as is practicable), the form and nature of the site, the means of access to the site, the accommodation they may require and in general shall themselves obtain all necessary information as to risks, contingencies and other circumstances which may influence or affect their bid. Interested bidder can contact tender inviting authority at Telephone Nos. provided in NIT. A bidder shall be deemed to have full knowledge of the site whether he inspects it or not and no extra charge consequent on any misunderstanding or otherwise shall be allowed. The bidders shall be responsible for arranging and maintaining at his own cost all materials, tools & plants, facilities for workers and all other services required for executing the work unless otherwise specifically provided for in the contract documents. Submission of a bid by a bidder implies that he has read this notice and all other contract documents and has made himself aware of the scope and specifications of the work to be done and of conditions and rates at which stores, tools and plant, etc. will be issued to him by the Government and local conditions and other factors having a bearing on the execution of the work.

III. If required multiple pre-bid conference can be held before opening of part 'A'. The date and time of 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.

14. After opening of Part 'A' of tender, Chief Engineer shall constitute a Technical Evaluation Committee which will first verify the online credentials submitted by the bidder with respect to their eligibility for the work and if required, will visit selected worksites of on-going/completed works of the bidders to evaluate the capability of the bidders 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 bidder during last 7 years.
d) Organizational 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.

14.1 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.

14.2 Placement of Work order

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

14.3 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.

14.4 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.

14.5. 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.

14.6. 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.

15. 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.

16. No modifications in the tender shall be allowed after opening Part 'A'.

17. Tenders with any condition including conditional rebate shall be rejected. However, tenders with unconditional rebate will be accepted.

18. 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. 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.

19. 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.

20. Tender will be kept valid for **180 (One Hundred Eighty) days** from the Last date of closing of online submission of tenders.

21. 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.

22. 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.

23. Cheques for Earnest Money Deposit will not be accepted.

24. The contractor whose tender is accepted will be required to furnish by way of security deposit for the due fulfillment 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. Time allowed for submission of Performance Guarantee shall be 15 days from the date of issue of letter of acceptance. Performance Security of 3% to be submitted in the form of Bank guarantees. It can also be accepted in the form of fixed deposit receipts of Scheduled Bank or in the form of Government Securities.

25. 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 Nationalized Bank. These shall be endorsed in favour of the Accounts Officer, BARC, Mumbai. Earnest Money Deposit of successful bidder shall be retuned back / refunded on receipt of Performance Security Deposit, however in case Performance Security Deposit is in the form of Bank Guarantee, Earnest Money Deposit will be released subsequent to confirmation of verification of Bank Guarantee from the issuing Bank.

26. 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 forfeit the said earnest money absolutely.

27. 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.

28. Canvassing in connection with tenders is strictly prohibited and the tenders submitted by the contractors who resort to canvassing will be liable for rejection.

29. 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.

30. 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.

31. LEVY/TAXES Payable by Contractor:

i) **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. Rate quoted shall be inclusive of GST. 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.**

ii) Labour welfare cess @1% of gross value of work done shall be recovered from each bill paid to the contractor.

iii) Income tax and cess as applicable shall be deducted from each bill paid to the contractor.

iv) Contractor should be registered under EPF & ESIC and 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 provisions of the EPF Act, 1952 in respect of all the eligible employees / workers/ labours and submit the documentary proof regularly with every RA Bill.

v) Any other taxes /cess as per Government directives shall be deducted from each bill paid to the contractor, from time to time.

32. 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 forfeit 50 % (Fifty Percent) of the Earnest Money absolutely.

Further, the tenderer shall not be allowed to participate in the re-tendering process of the work.

33. After award of work to the successful bidder, the successful bidder shall submit time schedule & cash flow statement for approval of Competent Authority which will form part of Agreement.

34. 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 Labourer's to work inside BARC.
BIDDERS MAY PLEASE NOTE THAT ONLY POLICE VERIFICATION CERTIFICATE (PVC) HOLDER WORKMEN WILL BE ALLOWED TO ENTER BARC PREMISES 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:

35. 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.

36. The intending bidder must have valid class-III digital signature for Request for purchase / Download of Tender Document (excel / word formats). The bid can only be submitted/uploaded after providing details of Fixed Deposit Receipts and or Bank Guarantee of any Scheduled Bank towards Earnest Money Deposit and other documents as specified.

37. 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.

38. The tentative makes have been specified in the tender document based on requirements & desired performance and detailed study of the technical parameters, manufacturing process, quality assurance/control & testing. The list is merely for guidance and bidders can prefer any other make which is meeting technical specifications given under Section-V and Schedule of Quantities given under Section-VIII of Tender document and shall confirm to the relevant BIS codes and other relevant codes. The bidder may suggest any make/ brand meeting technical parameters during pre-bid stage and before technical bid submission

39. The Financial Proposal/Commercial bid / BOQ format is provided as BoQ_OLWISCSStructure.xls along with this tender document at https://eprocure.gov.in/eprocure/app. Bidders are advised to download this BoQ_OLWISCSStructure.xls as it is and quote their offer/rates in the permitted column and upload the same in the commercial bid. **All tendered rates shall be inclusive of all taxes and levies payable under respective statutes. 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 appropriate action will be taken by department.

40. On opening date, the contractor can login and see the status of Bids after opening.

41. Contractor must ensure to quote rate of each item. The column meant for quoting rate in figures appears in SKY BLUE colour. While selecting any of the cells a warning appears **to mandatorily fill all such cells with any value, including "0" (ZERO).**

Note: **Prospective agencies shall satisfy themselves of fulfilling all the NIT criteria before submission of tender. Department reserves the right of non-consideration of tender of the agencies not fulfilling the stipulated criteria.**

42. 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 Similar Works completed in last seven years indicating i) Agency for whom executed, ii) Value of work, iii) Stipulated and Actual time of completion, iv) Performance certificates of the eligible similar works from the clients.

v. List of Works in Hand indicating: i) Agency ii) Value of Work, iii) Stipulated time of completion / present position.

vi. List of Construction Plants and Machinery

vii. List of Technical Staff

viii. Certificates:

a. Registration certificate, if any

b. Certificate of Registration for GST.

c. PAN (Permanent Account Number) Registration

d. Certificates of Registration for EPF & ESIC

ix. FDR/DD/PO/BC of any Scheduled Bank against **EMD**.

x. Bank Guarantee of any Scheduled Bank against part of EMD**, if any.**

xi. Undertaking on the bidder's letter head that "The eligible similar work(s) have not been executed through another contractor on back to back basis".

xii. 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**".

xiii. Tender Acceptance letter on bidder's letter head as shown in Annexure 1.

xiv. 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 _____% ".

i) xiv Appendix F : As given under additional clauses.

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

43. The Bidder is required to fill the following:

a) Techno-commercial Bid

b) Schedule - 'B' (Financial Bid)

44. 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 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or affirm 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:

1) 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; -

a) "Controlling ownership interest" means ownership of or entitlement to more that 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.

APPENDIX - F

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

Notes:

1. Interested agencies may visit website https://eprocure.gov.in/eprocure/app for registration and Bid Submission.
2. Contact for assistance/ clarifications related to tender documents - (022) **69291273, 69291255, 69294656 Fax: (022) 25505185**
3. Contact for assistance for registration and participation in e-Tendering:
   a) 24x7 CPP Portal Helpdesk - (0120) 4001 002, (0120) 4001 005, (0120) 6277 787
   b) Local Helpdesk - Shri. Bhushan / Shri. Mayur at (022) 2548 7480
   c) email at support-eproc@nic.in
4. Email Ids for sending request for Site visit / clarifications
   To: mhrao@barc.gov.in; amarg@barc.gov.in ; vpatel@barc.gov.in;

In case difference between wordings of English and Hindi version of NIT, the English version will prevail.

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

ANNEXURE 1

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

Date:

To,
The Chief Engineer
Nuclear Recycle Group, BARC,
Trombay, Mumbai. 400 085.

Sub: Acceptance of Terms & Conditions of Tender.

Tender Reference No: BARC/NRG/PSDD/EDS/ETP/2023/ Date: / 2023

Name of 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 NRG 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/ organization 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/ organization 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 as taken by Department.

Yours Faithfully,

(Signature of the Bidder, with Official Seal)