

**South Eastern Coalfields Limited**

साउथईस्टर्नकोलफील्ड्सलिमिटेड

(A Mini Ratna Company)

Contract Management Cell ; संविदाप्रबंधनप्रकोष्ठ

पंजीकृतकार्यालय/ Registered Office (CIN:U10102CT1985GOI003161)

SECL Bhawan, Seepat Road, Bilaspur -495006 (Chhattisgarh)

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Website: www.secl-cil.ine-mail: gmcml.secl@coalindia.inNIT No. SECL/BSP/CMC/**BKP**/e-Tender/**536**Date: **18.05.2022****e-TENDER NOTICE**

1. Tenders (Percentage rate tender only) are invited online under 02(Two) part system on the website <https://coalindiatenders.nic.in> from the reputed and experienced bidders having Digital Signature Certificate(DSC) issued from any agency authorized by Controller of Certifying Authority (CCA), Govt. of India and which can be traced up to the chain of trust to the Root Certificate of CCA, for the following work:

Description of work	Hiring of (A) Tippers for transportation of coal from Pandavpara Mine bunker/pit head coal stock yard to Katora Railway Siding for quantity of 7,50,000.00 Te with min. TPD- 685 Te, lead slab of 16-17 K.M., and (B) Pay loader for mechanical transfer of coal into tippers at pit head coal stock yard of Pandavpara Mine as and when required basis for the quantity of 37,500.00 Te for a period of 1096 days at Pandavpara Mine, Baikunthpur Area.
Location	Pandavpara Mine, Baikunthpur Area, Village- Khond, PO- Pandavpara, Dist- Korea, State- Chhattisgarh, Pin- 497331
Estimated Value (in ₹)	₹ 11,78,31,555.00 (rounded off) (inclusive of GST)
Earnest Money (in ₹)	₹ 4,90,600.00 (Rupees Four Lakh Ninety Thousand Six Hundred Only)
Period of Completion	1096 days (One Thousand Ninety-Six Days)
ITC (Input Tax Credit)	Available
Work splittable/non-splittable	Splittable
GST @	18%

A: - Parameters of Estimate: -

Sl. No	Description	Lead slab in Km.	Average Lead in KM	Quantity in Te
(1)	(2)	(3)	(4)	(5)
(A)	Hiring of Pay loader for mechanical transfer of coal into tippers at Pit head Coal stock Yard of Pandavpara Mine, as and when required basis for a period 1096 Days	NA	NA	37,500
(B)	Hiring of Tippers for transportation of coal from Pandavpara Mine Bunker/ Pit head Coal stock Yard to Mobile Crusher of katora railway siding with min. TPD-685 Te, lead slab 16-17 K.M. for a period of 1096 Days	16-17	16.50	7,50,000

Note:

I. There is **No APPLICATION FEE.**II. The estimate was prepared at a base diesel price of Rs **103.87 per Ltr.** as on **20.04.2022.**

III. The bid documents will be available on the website(s) **<https://www.coalindiatenders.nic.in>** and can be downloaded by the bidder up to the bid submission end date. The link of the tender is also available in **www.secl-cil.in**. The details of the tender will be mirrored in the central Public Procurement Portal **<http://eprocure.gov.in>** of Govt. of India.

IV. Details of GST Registration of SECL:

GSTIN of SECL	Chhattisgarh (CG)	Madhya Pradesh (MP)	West Bengal (WB)
	22AADCS2066E9ZL	23AADCS2066E1ZR	19AADCS2066E1ZG

2. Time Schedule of Tender;

SL. No.	Particulars	Date	Time
(1)	(2)	(3)	(4)
a.	Tender e-Publication date	19.05.2022	18:00 Hrs
b.	Document download start date	19.05.2022	18:00 Hrs
c.	Document download end date	06.06.2022	17:00 Hrs
d.	Bid Submission start date	20.05.2022	10:00 Hrs
e.	Bid Submission end date	06.06.2022	17:00 Hrs
f.	Start date for seeking Clarification on-line	19.05.2022	18:00 Hrs
g.	Last date for seeking Clarification on-line	30.05.2022	17.00 Hrs
h.	Date of Pre-bid Meeting(if required)	NA	NA
i.	Date of Opening of Tender [Cover-I (Technical-bid)]	08.06.2022	11.00 Hrs
j.	Date of Opening of Tender [Cover-II (Price-bid)]	Preferably within 45 (Forty-Five) days from the date of opening of Cover-I	

3. Earnest Money (EMD):

- 3.1** The Bidder will have to make the payment of EMD through online mode only. In Online mode the Bidder can make payment of EMD either through net-banking from designated Bank/s or through NEFT/ RTGS from any scheduled Bank.
Net-Banking: In case of payment through net-banking the money will be immediately transferred to designated Account.
NEFT/ RTGS: In case of payment through NEFT/ RTGS the Bidder will have to make payment as per the Challans generated by system on e-Procurement portal before submission of bid. The EMD payment through NEFT/ RTGS mode should be made well ahead of time to ensure that the EMD amount is transferred to account before bid submission.
- 3.2** Bidder will be allowed to submit his/her bid only when the EMD is successfully received in designated account and the information flows from Bank to e-Procurement system.
- 3.3** Micro and Small Enterprises (MSEs) as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises (MSME) will be exempted from the payment of Earnest Money.

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

In online payment of EMD, if the payment is made by the Bidder within the last date & time of bid submission but not received by the Company within the specified period due to any reason then the bid will not be accepted. However, the EMD will be refunded back to the Bidder.

4. Pre-bid Meeting:

The pre-bid meeting shall be held in the office of Tender Inviting Authority on the scheduled date & time, if specified online. Non-attendance of pre-bid meeting will not be a cause for disqualification of the bidder and it shall be presumed that the bidder does not require any clarification. The purpose of the pre-bid meeting will be to clarify issues. **If a Pre-Bid meeting is held then the minutes of the Pre-Bid meeting shall be uploaded on the Portal, before start date of bid submission which can be viewed by all interested Bidders**

5. Seeking Online Clarification by bidder:

The bidder may seek clarification online within the specified period. The identity of the Bidder will not be disclosed by the system. The department will clarify as far as possible the relevant queries of bidders. The clarifications given by department will be visible to all the bidders intending to participate in that tender.

6. Eligibility Criteria: -

A. Work Experience:

The bidder must have experience of works (includes completed / ongoing) of similar nature valuing 50 % of the annualized estimated value of the work put to tender (for period of completion over 1 year) / 50 % of the estimated value of the work (for completion period up to one year) put to Tender in any year (consecutive 365 days) during last 7(seven) years ending last day of month previous to the one in which bid applications are invited.

The similar nature of works shall mean:

"Experience in Excavation or Extraction or Cutting or Crushing or Drilling or Dumping or Dozing or Spreading or Loading or Transportation, of any material; or preparation/ maintenance of Haul Road or Overburden Removal-OBR- (with or without drilling) in all kinds of strata, or beneficiation of any mineral / material or, hiring of Human resources, or / and machinery, for any of the foregoing activities.

[Note: OBR means and includes the activity of removal of overlaying strata (soil, stones, boulders and the like) during the Opencast mining or excavation process.]"

Annualized value of the work shall be calculated as the "(Estimated value / Period of completion in days) x 365".

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

In case the bidders is a JV, the above qualification criteria shall be met collectively by JV partners or JV itself.

The qualifying criteria parameter e.g. experience of the individual partners of the J.V will be added together towards fulfillment of qualification criteria related to experience. However, the participating share of JV partners shall be as below:

- i. Lead Partner shall have at least 50% participating share in JV
- ii. Other partner(s) shall have at least 20% participating share in JV

Data / Information to be furnished by Bidder on-line:

- i. Start date of the year for which work experience of bidder is to be considered for eligibility.
- ii. Start date & end date of each qualifying experience (similar nature)

- iii. Work Order Number/Agreement Number of each experience
- iv. Name & address of Employer/Work Order Issuing authority of each experience
- v. Percentage (%) share of each experience (100% in case of an Individual/proprietorship firm or an entity registered as company under the Companies Act and the actual % of share in case of a Joint Venture/Partnership firm).
- vi. Executed Value of work against each experience.
- vii. In case the bidder is a Joint Venture, the work experience of any one, two or three of the individual partners of JV or the JV itself may be furnished as the work experience of the bidder.

Technical evaluation by the System:

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

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

For work experience, bidders are required to submit Work Experience Certificate (includes completed and ongoing works) issued by the employer against the experience of similar work containing all the information as sought on-line.

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

In case of JV, above documents of partner(s).

Note: A Sample Checklist for Work Experience Certificate is enclosed as Annexure-K.

Special Note:

If the Bidder is a Subsidiary of a Company, the experience and resources of the Holding Company or its other Subsidiaries will not be taken into account. However, if the Bidder is a Holding Company, the experience and resources of its wholly owned Subsidiaries will be taken into consideration.

Notes: The documents to be furnished by the Bidder to prove that he is satisfying the eligibility criteria laid down should all be in the Bidders name except in cases where though the name has changed, owners continued to remain the same and in cases of amalgamation of entities and when a Holding Company relies on the credentials of its wholly owned Subsidiaries.

Sub-Contractors experience and resources will not be taken into account in determining the Bidder's compliance with eligibility criteria.

B. Working Capital:

The bidder must produce the evidence of possessing adequate working capital (**at least 20% of the "Annualized value or Estimated value whichever is less"** of this work) inclusive of access to lines of credit and availability of other financial resources to meet the requirement. The bidder should possess the working capital within three months prior to the date of opening of tender.

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

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

Data/ Information to be furnished by Bidder on-line:

- i. Amount of available Working Capital inclusive of lines of credit and availability of other financial resources.
- ii. Date on which the bidder possesses the required working capital

- iii. Name of the Chartered Accountant (CA)
- iv. Membership No. of the Chartered Accountant (CA) who certifies the Bidder's Working Capital on a particular date.
- v. Date of issue of certificate
- vi. In case the bidder is a Joint Venture, the working capital of the individual partners of the JV will be added together and is to be furnished as the working capital of the bidder.

Technical evaluation by the System:

- i. The system shall check that the date on which the bidder possesses the required working capital as well as the date of issue of certificate is within 3 months of the date of opening of tender.
- ii. The value of working capital as certified by the CA is greater than or equal to the minimum requirement.

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

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

Note: A Sample Checklist for Working Capital Certificate is enclosed as Annexure-L.

C. Fleet requirement:

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

Information to be furnished online:

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

D. Permanent Account Number:

The bidder should possess a Permanent Account Number (PAN) issued by Income tax Department. **(In case of JV, PAN card for each Indian partner of JV and Verifiable Tax Residency Certificate of respective country for each foreign partner or JV itself).**

Data/ Information to be furnished by Bidder on-line:

Confirmation in the form of YES/NO regarding possessing PAN

Technical evaluation by the System:

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

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

Scanned copy of PAN card issued by Income Tax department, Govt. of India.

In case of JV, PAN Card for each individual partner of JV. **(In case of JV, PAN card for each Indian partner of JV and Verifiable Tax Residency Certificate of respective country for each foreign partner or JV itself).**

E. Goods and Services Tax (Not Applicable for Exempted Services):

The bidder should be either GST Registered Bidder under regular scheme

OR

GST Registered bidder under composition scheme

OR

GST unregistered Bidder

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

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

Scanned copy of documents to be uploaded by bidders in support of information/ declaration furnished online by the bidder against Eligibility Criteria as Confirmatory Document:

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

- a) Status: GST Registered Bidder under regular scheme:
Document: GST Registration Certificate (i.e., GST identification Number) issued by appropriate authority of India.
- b) GST Registered bidder under composition scheme:
Document: GST Registration Certificate (i.e., GST identification Number) issued by appropriate authority of India.
- c) Status: GST unregistered bidder:
Document: A Certificate with **UDIN** from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the bidder is GST unregistered bidder in compliance with the relevant GST rules of India.

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

Note: In case the work/service is awarded to a Joint Venture participating in the tender they have to submit PAN, GST registration (as applicable in the tender and for the bidder status) etc. in the name of the Joint Venture after Award of Work/Service at the time of execution of agreement/ before the payment of first running on account bill.

If turnover of bidder exceeds exemption/threshold limit, the bidder must have GST registration as per GST Act and rules.

F. Procurement from Micro and Small Enterprises (MSEs) (Applicable for Service Tenders)

- i. Subject to meeting terms and conditions stated in the tender document including but not limiting to prequalification criteria, 25% of the work will be awarded to MSE as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises (MSME) for the tendered work/item. Where the tendered work can be split, MSE quoting a price within a price band of L1 + 15% shall be awarded at least 25% of total tendered work provided they match L1 price. In case the tendered work cannot be split, MSE shall be awarded full work provided their quoted price is within a price band of L1 + 15% and they match the L1 price.
- ii. In case of more than one such MSEs are in the price band of L1 + 15% and matches the L1 price, the work may be shared proportionately if the job can be split. If the job cannot be split, then the opportunity to match the L-1 rate of the tender shall be given first to MSE who has quoted lowest rate among the MSEs, and the total job shall be awarded to them after matching the L-1 price of the tender. If the MSE who have quoted lowest rate among the MSEs in the price band of L1 + 15% do not agree to match the rate of L1 of the tender, then the MSE with next higher quoted rate in the price band of L1 + 15% shall be given chance to match the rate of L1 for award of the complete job. This process to be repeated in, till work is awarded to MSE or MSE bidders are exhausted.
- iii. Out of the 25% target of annual procurement from micro and small enterprises 3(three) percent shall be earmarked for procurement from micro and small enterprises owned by women. In the event of failure of such MSEs to participate in the tender process or meet the tender requirements and L1 price, 3(three) percent sub-target so earmarked shall be met from other MSEs.
- iv. Out of the 25% target of annual procurement from micro and small enterprises 4(four) percent shall be earmarked for procurement from micro and small enterprises owned by Scheduled Caste & Scheduled Tribe entrepreneurs. In the event of failure of such MSEs to participate in the tender process or meet the tender requirements and L1 price, four percent sub-target so earmarked shall be met from other MSEs.

- v. To qualify for entitlement as SC/ST owned MSE, the SC/ST certificate issued by District Authority must be submitted by the bidder in addition to certificate of registration with anyone of the agencies mentioned in paragraph (I) above. The bidder shall be responsible to furnish necessary documentary evidence for enabling CIL to ascertain that the MSE is owned by SC/ST. MSE owned by SC/ST is defined as:
- In case of proprietary MSE, proprietor(s) shall be SC /ST
 - In case of partnership MSE, the SC/ST partners shall be holding at least 51% shares in the enterprise.
 - In case of Private Limited Companies, at least 51% share shall be held by SC/ST promoters.
- vi. Classification of Micro and Small Enterprise are as under:
- a. Micro Enterprise -Enterprise where the investment in Plant and Machinery or equipment does not exceed one crore rupees and turnover does not exceed five crore rupees.
 - b. Small Enterprise- Enterprise where the investment in Plant and Machinery or equipment does not exceed ten crore Rupees and turnover does not exceed fifty crore rupees.
- vii. The MSEs should be registered with District Industries Centers (DICs)/ Khadi & Village Industries Commission (KVIC)/ Khadi & Village Industries Board (KVIB)/ Coir Board/ NSIC/ Directorate of Handicrafts and Handloom or any other body specified by Ministry of Micro, Small & Medium Enterprises (MoMSME) are eligible for availing benefits under the Public Procurement Policy for Micro and Small Enterprise (MSEs) Order, 2012.

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

Special Note:

If a bidder participates as a Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.

7. CONFIRMATORY DOCUMENTS:

All the bidders are to submit the information in objective manner confirmed by the uploaded documents. **The documents related to the furnished online information, based on which the auto evaluation takes place will only be**

considered. If the bidder uploads any other document, it will be given no cognizance.

The scanned copy of following documents will be submitted by the bidder on-line while submitting bid under Cover-I (Part-I).

Sl No	Submission of Documents related to Eligibility Criteria	Scanned copy of documents to be uploaded by bidder in support of information/ declaration furnished online by the bidder against Eligibility Criteria (CONFIRMATORY DOCUMENT)/ or CONFIRMATION OF ACCEPTANCE OF THE FORMATS ANNEXED IN TERMS AND CONDITION OF THE BID DOCUMENTS
(1)	(2)	(3)
1.	Letter of Bid / Contractor's Bid and Acceptance of Bid Conditions	Letter of bid / PROFORMA FOR CONTRACTOR'S BID AND ACCEPTANCE OF BID CONDITIONS has been annexed as ANNEXURE-B with TERMS AND CONDITION OF THE BID DOCUMENTS. Bidders are to confirm the acceptance of Letter of bid in GTE at the time of submission of bid, no documents required to be uploaded.
2.	Work Experience	Work Experience Certificate (includes completed and ongoing works) issued by the employer against the experience of similar work containing all the information as sought on-line. Work order, BOQ, TDS etc. may be sought during clarification or along with deficient documents, if felt necessary by the Tender Committee. <u>Note: A Sample Checklist for Work Experience Certificate is enclosed as Annexure-K.</u> In case of JV, above documents of partner(s). If a bidder participates as a Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.
3.	The Availability of Working Capital:	Certificate of Working Capital issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India containing the information as furnished by Bidder on-line with UDIN. <u>Note: A Sample Checklist for Working Capital Certificate is enclosed as Annexure-L.</u> In case of JV, above documents of partner(s). If a bidder participates as a Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.

4.	Authorization for Digital Signature Certificate	<p>a) If the bidder himself is the DSC holder bidding online then self-declaration of the bidder to this effect.</p> <p>OR</p> <p>b) if the DSC holder is bidding online on behalf of the bidder then the Power of Attorney or any sort of legally acceptable document for authority to bid on behalf of the bidder.</p>
5.	Undertaking/ Affidavit	<p>Undertaking to be uploaded by bidder/s (on their letter head) as per the format given in the bid document at ANNEXURE-C. Affidavit is about the genuineness of information furnished online, authenticity of scanned copy of documents uploaded, availability/ deployment of Matching Equipment/tippers/pay loaders etc.as per NIT either owned or hired and about other commitments.</p> <p>Note: In case of JV, undertaking shall be signed by all the partners.</p>
6.	Valid Permanent Account Number (PAN)	<p>Scanned copy of PAN card issued by Income Tax department, Govt. of India.</p> <p>In case of JV, PAN Card for each individual partner of JV. (In case of JV, PAN card for each Indian partner of JV and Verifiable Tax Residency Certificate of respective country for each foreign partner or JV itself).</p> <p>If a bidder participates as a Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.</p>
7.	Legal Status of the bidder	<p>Any one of the following document :</p> <ol style="list-style-type: none"> Affidavit or any other document to prove Proprietorship/Individual status of the bidder. Partnership deed containing name of partners Memorandum & Article of Association with certificate of incorporation containing name of bidder In case of JV: <ol style="list-style-type: none"> Details of all partners as at 1/2/3 (as applicable) above JV agreement as per NIT Performa containing the name of partners and lead partner, and share of each partner <p>Note: Bidders who are MSEs and want to bid as per clause 6(F) of NIT, they have to upload scanned copy of related document in support of MSEs bidder along with legal status document.</p>

		Note: The MSEs (as defined in Clause 6(F) of NIT) are required to submit copy of documentary evidence, issued by their registering authority whether they are small enterprise or micro enterprise as per provisions of Public Procurement Policy for Micro and Small Enterprise (MSEs) Order, 2012 with latest guidelines/clarifications provided by MoMSME
8.	Goods and Services Tax	<p>a) Status: GST registered Bidder under regular scheme: Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>b) GST Registered bidder under composition scheme: Document: GST Registration Certificate (i.e. GST identification Number) issued by appropriate authority of India.</p> <p>c) Status: GST unregistered bidder: Document: A Certificate with UDIN from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India certifying that the bidder is GST unregistered bidder in compliance with the relevant GST rules of India.</p> <p><i>[In case of JV, a Certificate from a practicing Chartered Accountant having membership number with Institute of Chartered Accountants of India confirming the status of JV w.r.to GST in compliance with relevant GST rules or GST Registration Certificate of JV]</i></p> <p>If a bidder participates as a Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.</p>
9.	Integrity Pact (applicable for tendered value above Rs.5.00 Crore)	<p>PRE CONTRACT INTEGRITY PACT has been annexed as ANNEXURE-A with TERMS AND CONDITION OF THE BID DOCUMENTS.</p> <p>Bidders are to confirm the acceptance of PRE CONTRACT INTEGRITY PACT in GTE at the time of submission of bid, no documents required to be uploaded.</p>
10.	EMD Exemption Document (Applicable for EMD	In case of exemption of EMD, the scanned copy of document (attested by notary public) in support of exemption will have to be uploaded

	exempted bidders)	by the bidder during bid submission. Note: All non-exempted bidders have to upload a blank document in this sub-head.
Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support the information/declaration furnished by bidder online against eligibility criteria may also be attached by the bidder in the same file to be uploaded against respective eligibility criteria.		

Special Note:

If a bidder participates as a Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.

8. Submission of Bid:

All the bids are to be submitted online and, on the website, <https://coalindiatenders.nic.in>. No bid shall be accepted offline.

a. The bidder should strictly comply with following instructions:

- i. The bidders are requested to submit offers online giving reference to this tender notice number and date containing offers in two parts in the links cover-I, OID and cover-II.
- ii. Two parts of the bid should contain the details as follows:

Part-I/cover-I and OID:

Contractor's bid (letter of Bid)

Details of Earnest Money

Information on Eligibility/Qualifying criteria as detailed at Clause No.6 & 7 including necessary scanned documents as elaborated there.

Part II/cover-II: Prices only in the Excel format as indicated in the Bid document.

- b.** In order to submit the Bid, the bidders have to get themselves registered online on the e-Procurement portal of CIL/Subsidiary (**<https://coalindiatenders.nic.in>**) with valid Digital Signature Certificate (DSC) issued from any agency authorized by Controller of Certifying Authority (CCA), Govt. of India and which can be traced up to the chain of trust to the Root Certificate of CCA. The online Registration of the Bidders on the portal will be free of cost and one time activity only. **The registration should be in the name of bidder, whereas DSC holder may be either bidder himself or his duly authorized person. The bidder is one whose name will appear as bidder in the e-Procurement Portal.**
- c.** The bidders will have to accept unconditionally the online User Portal Agreement which contains the acceptance of all the Terms and Conditions of NIT including General and Special Terms & Conditions, Integrity Pact and other conditions, if any, along with online undertaking in support of the authenticity of the declarations regarding the facts, figures, information and documents furnished by the Bidder online in order to become an eligible bidder. No conditional bid shall be

allowed/accepted. This User Portal Agreement will be a part of NIT/Contract Document.

d. Letter of Bid:

Letter of bid / PROFORMA FOR CONTRACTOR'S BID AND ACCEPTANCE OF BID CONDITIONS has been annexed as ANNEXURE-B with TERMS AND CONDITION OF THE BID DOCUMENTS.

Bidders are to confirm the acceptance of Letter of bid in GTE at the time of submission of bid, no documents required to be uploaded.

e. Confirmatory Documents:

All the confirmatory documents as enlisted in the NIT in support of online information furnished by the bidder are to be uploaded in Cover-I by the bidder while submitting the bid online.

f. Price Bid (Part-II):

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

The rate quoted by bidder shall be inclusive of all taxes, duties & levies but excluding GST & GST Compensation Cess, if applicable.

The system will compute the amount of GST and State Compensation Cess, as per predefined logic in the BOQ sheet.

Prior to quoting the rates in the BOQ sheet, the bidder will select the appropriate GST Status from the following list given in the BOQ sheet:

- i. GST Registered Bidder under regular scheme
- ii. GST Registered bidder under composition scheme
- iii. GST Unregistered Bidder

The Price bid file will be digitally signed and uploaded by the bidder in Part-II/Cover-II.

Decision about L-1:

The L-1 will be decided based on "COST TO COMPANY" in the following manner:

- i. If Input Tax Credit is Applicable:

COST TO COMPANY = Quoted Price of Bidder excluding GST and State Compensation Cess (If applicable).

ii. If Input Tax Credit is Not Applicable:

COST TO COMPANY = Quoted Price of Bidder excluding GST and State Compensation Cess (+) Amount of GST (+) State Compensation Cess(If applicable).

The rate quoted by bidder shall be inclusive of all taxes, duties & levies but excluding GST & GST Compensation Cess, if applicable. The payment of GST and GST Compensation Cess by service availer (i.e., CIL/Subsidiary) to bidder/contractor (if GST payable by bidder/contractor) would be made only on the latter submitting a Bill/invoice in accordance with the provision of relevant GST Act and the rules made thereunder and after online filing of valid return on GST portal. Payment of GST & GST Compensation Cess is responsibility of bidder/contractor.

However, in case contractor is GST unregistered bidder in compliance with GST rules, the bidder shall not charge any GST and/or GST Compensation Cess on the bill/invoice. In such case, applicable GST will be deposited by CIL/Subsidiary directly to concerned authorities.

Input tax credit is to be availed by paying authority as per rule.

If CIL/Subsidiary fails to claim Input Tax Credit(ITC) on eligible Inputs, input services and Capital Goods or the ITC claimed is disallowed due to failure on the part of supplier/vendor of goods and services in incorporating the tax invoice issued to CIL/Subsidiary in its relevant returns under GST, payment of CGST & SGST or IGST, GST (Compensation to State) Cess shown in tax invoice to the tax authorities, issue of proper tax invoice or any other reason whatsoever, the applicable taxes &cess paid based on such Tax invoice shall be recovered from the current bills or any other dues of the supplier/vendor along with interest, if any.

The Price bid file will be digitally signed and uploaded by the bidder in Part-II/Cover-II.

- 9.** It is the bidder's responsibility to comply with the system requirement i.e., hardware, software and internet connectivity at bidder's premises to access the e-tender portal. Under no circumstances, SECL shall be liable to the bidders for any direct/indirect loss or damage incurred by them arising out of incorrect use of the e-tender system or internet connectivity failures.

10. Opening of Bid:

- i. If the number of bids received online is found to be less than three on end date of bid submission then the bid submission end date, last date of receipt of EMD

&date of bid opening of tender [**Cover-I** (Technical-bid)] will be automatically extended by the System, for a period of four days.

In this extended period any new bidder can submit his tender online. However, the existing bidder(s) will be allowed to modify his/their submission as per provision of Clause 13. If up to extended end date of bid submission, the number of bids received online remains less than three, the bid(s) received shall be opened without any further extension and in case no offer is received the tender will be cancelled.

- ii. Tender [**Cover-I** (Technical-bid)] will be decrypted and opened online by the Bid Openers with their Digital Signature Certificate (DSC) on the pre-scheduled date & time of tender opening. The bidder can view bid opening remotely on their personalized dashboard under "Bid Opening (Live)" link.
- iii. The e-Procurement system will evaluate the technical bids automatically on the basis of relevant data provided by the bidder in an objective and structured manner while submitting the bid online. If the parameter furnished by bidder online in an objective and structured manner does not confirm to the required eligibility criteria as specified in the tender document, the bid will be rejected.
- iv. All the documents uploaded by bidder(s) including i.e., Letter of Bid and the Evaluation sheets generated by the system online shall be downloaded after opening of technical bid (Cover-I). After decryption and opening of technical bid (Cover-I) the "technical bid opening summary" will be uploaded on the same day.

11. Evaluation of Tender:

- i. After opening of technical bid, the documents submitted by bidder(s) in cover I as enlisted in the NIT will be downloaded by the Evaluator and shall be put up to the Tender Committee. The Tender Committee will examine the uploaded documents against information/declarations furnished by the bidder(s) online. If it confirms to all of the information/ declarations furnished by the bidder online and does not change the eligibility status of the bidder, then the bidder will be considered eligible for award of Contract.
- ii. In case the Tender Committee finds that there is some deficiency in uploaded documents corresponding to the information furnished online or in case corresponding document have not been uploaded by bidder(s) then the same will be specified online by Evaluator clearly indicating the omissions/shortcomings in the uploaded documents and indicating start date and end date allowing 7 days (7 x 24 hours) time for online re-submission by bidder(s). The bidder(s) will get this information on their personalized dashboard under "Upload confirmatory document" link. Additionally, information shall also be sent by system generated email and SMS, but it will be the bidder's responsibility to check the updated status/information on their personalized dashboard regularly after opening of bid. No separate communication will be required in this regard. Non-receipt of e-mail and SMS will not be accepted as a reason of non-submission of documents within

prescribed time. The bidder(s) will upload the scanned copy of all those specified documents in support of the information/ declarations furnished by them online within the specified period of 7 days. No further clarification shall be sought from Bidder.

- iii. It is responsibility of Bidders to upload legible/clearly readable scanned copy of all the required documents as mentioned above.
- iv. The tender will be evaluated on the basis of documents uploaded by bidder(s) online. The bidder(s) is/are not required to submit hard copy of any document through offline mode. Any document submitted offline will not be given any cognizance in the evaluation of tender.
- v. In case the bidder(s) submit(s) requisite documents online as per NIT, then the bidder(s) will be considered eligible for opening of Price Bid.
- vi. Seeking clarification shall be restricted to confirmation of submitted document/online information only and it should be only for one time for a period of upto 7 days. The clarification shall be taken in online mode in the e-Procurement portal of CIL only.
- vii. In case bidder(s) fails to confirm the online submitted information(s)/ declaration(s) by the submitted documents as (ii) above, their/his bid shall be rejected; however, if the confirmatory documents do not change eligibility status of the bidder in connection his submitted online information(s)/declaration(s), then his/their bid will be accepted for opening of Price Bid.
- viii. After Technical evaluation of tender, "Technical Evaluation Summary" will be uploaded by the evaluator and price bid shall be opened on pre-schedule date and time mentioned in the NIT online in the e-Procurement portal of CIL. However, in case there is any extension of date and time of price bid opening, it shall be notified online and price bid shall be opened online on e-Procurement portal of CIL at rescheduled date and time.
- ix. In case none of the bidder(s) complies the technical eligibility criteria as per NIT, then bidder(s) will be rejected online and re-tender (if required) will be done (with the same or different quantity, as per the instant requirement).

12. Bid Validity:

The Bid Validity Period will be **120 (one hundred twenty) days** from the end date of bid submission. The validity period of tender shall be decided based on the final end date of submission of bids.

13. Modification and Withdrawal of Bid:

Modification of the submitted bid shall be allowed on-line only before the deadline of submission of tender and the bidder may modify and resubmit the bid on-line as many times as he may wish. Bidders may withdraw their bids online within the end date of bid submission and their EMD, if submitted, will be refunded.

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

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

Penal action against clause (a) & (b) above will be enforced from the date of issue of such order.

If L1 bidder backs out, the EMD will be forfeited, and the bidder will be debarred for **1 (One) year** from participating in tenders in CIL/Subsidiary.

14. Tender Status:

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

15. Refund of EMD:

- a. If EMD is paid by the bidder in online mode (Direct Debit/NEFT/RTGS) then the EMD of rejected bidders will be refunded at any stage directly to the account from where it had been received (except the cases where EMD is to be forfeited).

- b.** No claim from the bidders will be entertained for non-receipt of the refund in any account other than the one from where the money is received.
 - c.** If the refund of EMD is not received by the bidder in the account from which the EMD has been made due to any technical reason, then it will be paid through conventional system of e-payment. For this purpose, if required, Tender Inviting Authority will obtain the Mandate Form from the Bidder.
 - d.** In case the tender is cancelled then EMD of all the participating bidders will be refunded unless it is forfeited by the department.
 - e.** If the bidder withdraws his/her bid online (i.e., before the end date of submission of tender) then his/her EMD will be refunded automatically after the opening of tender.
 - f.** The Earnest Money/Bid Security deposited of successful bidder (on award of contract) is to be returned to the contractor after submission of performance security. The Earnest Money/Bid Security deposited may be adjusted against the security deposit (Performance Security) at bidder's option.
- 16.** The Company reserves the right to postpone the date of receipt and opening of tenders or to cancel the tenders without assigning any reason whatsoever.
- 17.** This Tender Notice shall be deemed to be part of the Contract Agreement.
- 18.** The Company does not bind itself to accept the lowest bid and reserves the right to reject any or all the bid without assigning any reasons whatsoever and also to split up the work between two or more tenderers or accept the tender in part and not in its entirety, at its sole discretion.
- 19. Addendum/Corrigendum:**
Any addendum/corrigendum/date extension etc. in respect of this tender shall be issued on our website <https://coalindiatenders.nic.in> only. No separate notification shall be issued in the press. Bidders are therefore requested to visit our website regularly to keep themselves updated.
- 20. Make in India:**
Preference to Make in India (as applicable) vide Order No. P-45021/2/2017-PP (BE-II) issued by Govt. of India as amended from time to time shall be applicable.
- 21. Installation of GPS Device in Tippers (Applicable for Coal Transportation works only);**
 - a.** It is mandatory to install GPS device in the tippers deployed for transportation of coal.
 - b.** If the tipper is fitted with GPS device, it should be compatible with software/service provided by service provider and should be kept in working order.

- c. The bidder shall submit undertaking for mounting the GPS device to be provided by SECL in the tipper and assurance of its safety and effective use.
- d. The GPS device shall be fitted in the tipper for vehicle tracking system. It will be the sole responsibility of the contractor for its safety and effective use. In the event the vehicle mounted unit is missing, damaged or tampered, the cost of the unit shall be recovered from the contractor's bill.

In the event tipper is withdrawn from mine, contractor shall handover the GPS device provided by SECL to concerned Sub-Area Manager or his representative.

22. Pre-Contract Integrity Pact (applicable for tenders with estimated cost exceeding Rs. 5.00 Crores):

The bidder is required to go through the integrity pact which is the part of bid document. The bidder, submitting the bid shall accept the Integrity Pact as given in the bid document.

Name, address and contact No. of the Independent External Monitor (IEM) nominated for this tender:

Sl. No.	Name	Address
1.	Shri S. Srinivasan, IAS, (Retd.)	Flat No. - D5/107, Block No.- 5, V Floor, KendriyaVihar, BB Road (Bangalore-Bellary Road), Yelahanka, Bangalore-560064, Karnataka. (e-mail: s.srinivasan1980@gmail.com)
2.	Shri Sanjeev Behari, IRS (Retd.)	A-81, Sector-50, Noida, Gautam Budh Nagar, UP- 201301. (e-mail: saloni_behari@yahoo.co.in)

Special Note:

Bidder signing Integrity Pact shall not approach the Courts while representing the matters to IEMs and he/she will await their decision in the matter.

Sd/-
महाप्रबंधक, (सीएमसी)