

BRAHMAPUTRA VALLEY FERTILIZER CORPORATION LIMITED
(A Government of India Enterprises)

CIN No. U24123AS2002G0I006786
GST NO:- 18AABCB9399R1ZK

HEAD OFFICE
Namrup, P.O – Parbatpur, Dist- Dibrugarh
Assam-786623

TENDER NO:- A/III/BVFCL/F&A/IFC /2017-18 / 08

Date : 07/12/2017

Tender Document for

**Prequalification and Appointment of outside Chartered Accountants firm for the
review of Internal financial control system & its adequacy of the corporation for the
F/y 2017-18**

Last Date & Time of Receipt of Tender at Venue :

HEAD OFFICE
Dy. General Manager (F & A)
Namrup, P.O- Parbatpur, Dist- Dibrugarh
Assam-786623
04 / 01/2018 at 03:00PM

Date and Time of opening of Technical Bid Documents
04/01/2018 at 03:30 PM

Phone no: 0374 - 2500547
Fax No: +91(0) 374-2500317

Website: www.bvfcl.com

Note: - In case any of the days mentioned above happens to be declared a holiday, the said event shall be held on the next following working day at the same time and venue.

NOTICE INVITING BID

Sub:- Enquiry for Prequalification and Appointment of outside Chartered Accountants firm for the review of Internal financial control system & its adequacy of the corporation for the F/y 2017-18

Brahmaputra Valley Fertilizer Corporation Limited, a CPSU under the administrative control of Ministry of Chemical & Fertilizer, is a 100 % Govt. of India undertaking. Its registered and corporate office is at Namrup, Assam. Outside the Namrup, the company has two liaison offices at Noida and Kolkata and three area sales offices at Guwahati, Kolkata and Patna. BVFCL is engaged in the manufacture of Urea, Bio-fertilizer, Vermi- Compost manure at Namrup (Assam) and trading of seeds pesticides, Fertilizers(MOP, SSP, Rock Phosphate) and Micronutrients. Corporation is manufacturing its products under the brand name "Mukta". During the F-Y 2016-17, the Turnover of the Corporation was Rs. 446.00 Crores.

BVFCI invites sealed bids offers from reputed firms of Chartered Accountants having relevant experience in the field of financial reporting on internal financial control as per the Companies Act, 2013 read with Companies (Accounts) Rules, 2014 for the F/y 2017-18. The period of assignment will be initially for the Financial Year 2017-18 and thereafter depending upon the performance of the firm, the assignment will be extendable for financial year 2018-19 on the same terms & conditions. The whole bidding process will be under **two stages**.

Bidders may regularly visit BVFCL website for any information / clarification /addendum/ corrigendum etc. related to this NIT, processing of bids received, award of job etc. BVFCI shall not be liable to send any individual information or publish a public notice for any further information regarding this NIT.

1. (a) Essential documents required to be submitted for validity of Technical Bids:

- I. The firm is required to enclose a copy of its Valid Pan Card.
- II. The firm is required to enclose a copy of its valid GST Registration certificate.
- III. The firm is required to enclose the certificate of registration of firm.
- IV. The firm is required to enclose the certificate of practice issued by the Institute of Chartered Accountants of India.

1. (b) Eligibility cum selection Criteria for Pre – Qualification : (Technical Bid)

Firms of practicing Chartered Accountants registered with Institute of Chartered Accountant of India shall be considered for Appointment as a consultant for the review of Internal financial control system & its adequacy for Financial Reporting for the F/y 2017-18 of the company.

- I. In addition to the above essential requirement, the following will be the basis of points for the selection of Internal Auditor:-

Sl. No.	Selection Criteria	Points to be allocated	Maximum Points
1	Experience in practice (No. of years)	2 point for every completed year of Firm's Registration	10
2	Experience of PSU unit / PSU company / other than PSU (Annual Turnover > Rs. 400 crores in case of other than PSU), in field of accounting & audit services/ Internal Audit/ Statutory Audit. .	2 point for every completed year.	10
3	Experience of assignment in internal financial control of any Central or State PSU.	5 point every completed year of assignment of internal financial control of any Central or State PSU	15
4	Empanelled with C&AG	5 point for C&AG empanelment	5
5	No. of Partners in the Firm who are with the Firm for a minimum period of two years as on date of application.	2.5 point for each partner.	10
6	No. of Audit staff on roll	2 point for every qualified Article.	10
		1.5 point for every semi qualified Article.	6
		1 point for every audit assistant / clerk.	4

Total marks allocable – 70

(*) Audit works of multiples units of a company in a year shall be counted as 1 (one) audit. Units should not be considered as Liaison Office, Sales Depo, and Godowns.

Note:-

- The firm securing at least 50% marks based on above system shall be considered as qualified,
- Clear and complete details and documentary evidence in respect of above (as desired in **Annexure – I**), for determination of points in support of information against Items 1 to 8 is required to be furnished. Proposal without the required documentary evidence (s) shall be ignored for evaluation.
- The period of assignment will be initially for the Financial Year 2017-18 and thereafter depending upon the performance of the firm, the assignment will be extendable for financial year 2018-19 on the same terms & conditions.
- Bids should be un-conditional. Conditional bids shall be summarily rejected.

1. (c) Format for submission of Technical Bid is enclosed at **Annexure – I**

1. (d) Format of submission of Financial Bid is enclosed at **Annexure –II.**

2. Documents required for evaluation of Technical Bids (to be kept in Sealed Cover -1 super scribed as Technical Bid) duly signed with seal:-

- I. Essential Documents with support of eligibility criteria is required as mentioned at Annexure –I

3. Documents required for evaluation of Financial Bids to be kept in Sealed Cover-2 super scribed as Financial Bid.

- I. Annexure –II duly signed with seal.

The tender documents are available at BVFCL website – www.bvfcl.com and it also can be downloaded from the Govt. portal site.

In case you require any other information, please feel free to contact the undersigned on any working day.

The two sealed envelopes should be kept under one sealed envelope and must be sent / dispatched clearly super-scribing “**Application for Appointment for the review of Internal financial control system & its adequacy for the F/Y 2017-18** “ and Tender No “**A/III/BVFCL/F&A/IFC /2017-18 / 08** “ dated 07/12/2017

Representative of the firm can be present at the time of opening of Technical Bid on bringing a letter of Authority from the Partner of the Firm.

Bids are to be submitted on or before 04/01 /2018 up to 03:00 PM by regd. Post / speed post/ courier at the following address:

**Dy. General Manager (F & A)
BVFCL, Namrup
P.O.- Parbatpur, Dist- Dibrugarh,
Assam -786623
Ph.No. 0374 - 2500547**

The bids should be valid up to 28th February 2018.

Encl:

- 1) Format for submission of Technical Bid (Annexure- I)
- 2) Format for submission of Financial Bid (Annexure- II)
- 3) Part of Technical Bid (Form A, Form B & Form C)
- 4) General Terms & Conditions (Annexure-A)

Format for submission of Technical Bid

TENDER NO:- A/III/BVFCL/F&A/IFC /2017-18 / 08

Date : 07/12/2017

1. **Name of the Chartered Audit Firm:**
2. **Registration Number of the Chartered Audit Firm (Copy enclosed):**
3. **Date of Registration/incorporation and Number of years of experience of the Firm (Copy enclosed):**
4. **C&AG Empanelment No.(Copy enclosed)**
5. The bidding entity / any partner of the entity should not convict in any disciplinary proceeding / criminal cases by regulatory authority (ies) / court in connection with professional work. (Submit undertaking, Fill Form C)
6. Bidder should not be on negative list/ black listed by any PSU or Govt. Department. (Submit undertaking, Fill Form C)
7. **Particulars of the Firm:-**
 - I. Address of the Head office of the firm as registered with the Institute of the Chartered Accountants of India.
 - II. (a) Telephone Number with STD code.
(b) Mobile Nos. of the partners
 - III. Email address of the firm
 - IV. Website of the firm, if any
 - V. PAN No. of the Firm (Copy enclosed)
 - VI. GST No of the firm (Copy enclosed)

8. Technical Details:-

1	Registration certificate of the audit firm, Experience in Practice (No. of years) (Copy of Registration certificate and Experience in Practice to be submitted in Annexure)	
2	The bidder should have been registered in India and should have minimum 3 years of existence in the field of accounting and audit services /Internal Audit/ Statutory Audit in Central / State PSU/ other than PSU (Annual Turnover > Rs. 400 crores in case of other than PSU). (Submit copy of work order & completion certificate, copy of P/L & B/S of the company in case of Non PSU) (Fill Form A)	
3	Experience of assignment in internal financial control of any central or state PSU. (Submit copy of work order & completion certificate).	
4	The bidder should be empanelled with C&AG of India. (Submit proper documents)	
5	The bidder should have at least two qualified professionals with CA qualification. (Submit proper details in Annexure) (Fill Form B)	
6	The bidder should have sufficient infrastructure and manpower for undertaking the job within schedule time. (Submit Proper details in Annexure)	

We hereby confirm the acceptance of all provisions and terms & conditions of the invitation without any deviation.

Place:

Date:

Authorised Signatory
With Official Stamp

Annexure-II

Financial Bid for Prequalification and Appointment of outside Chartered Accountants firm for the review of Internal financial control system and its adequacy of the corporation for the F/y 2017-18

TENDER NO:- A/III/BVFCL/F&A/IFC /2017-18 / 08

Date : 07/12/2017

Sl. No	Particulars	Quoted fees in Rs. (Excluding applicable tax)	Quoted fees (In words)
1	Fees in Rs. (Per annum) (Excluding taxes) for reporting on review of internal financial control system and its adequacy of the corporation.		

Place:

Date:

**Authorised Signature
With Official Stamps**

Part of Technical Bid

Relevant experience of consulting firm for reporting on Internal financial control system & its adequacy of the organisation for the F/y 2017-18 :

Sl. N O.	Name of Client	Location of Client	Scope of Work	Project Period	Type of Audit Work	Turnover of Client (Rs. In Lakhs)

Notes:

1. Bidder to submit copies of the work orders & completion certificate from client for the referred assignments.

Place:

Date:

Authorised Signature
With Official Stamps

Form B**Details of Qualification Professionals of the firm:-**

<u>Sl. No.</u>	<u>Name & Designation</u>	<u>Qualification</u>	<u>Total No. of years of experience</u>	<u>Relevant experience in implementation of IFC</u>

Notes:

1. Bidders are required to furnish the complete and correct information required for evolution of their bids. If any information furnished is found to be false/misleading/incomplete, the same shall be considered as adequate ground for rejection of the bids.

2. Bidders are required to furnish only those credentials in the above prescribed format for which documentary evidence is available with them. BVFCL reserves the right to seek additional information or ask for supporting documents from Bidders for verifying / evaluating their credentials whenever required.

Place:

Date:

Authorised Signature
With Official Stamps

Undertaking

We hereby confirmed that all the documents submitted in this tender are authentic, genuine, copies of their originals and have been issued by the issuing authority mentioned above and no part of the documents / information is false, forged or fabricated.

We hereby confirm that our bid complies with the total technical – commercial requirements/ terms and conditions of the bidding documents and subsequent addendum / corrigendum (if any), issued by BVFCI, without any deviation / exception /comments/assumptions.

We also confirm that we have quoted the prices without any conditions and deviation.

We further confirm that terms and conditions if any, mentioned in our bid (Technical as well as Financial) shall not be recognized and shall be treated as null and void.

We hereby confirm that we are not under any “liquidation”, any “court receivership” or similar proceeding and “bankruptcy”.

We hereby confirm that any partner of the entity has not been convicted in any disciplinary proceedings/ criminal case by regulatory authority (ies) / court in connection with professional work.

We further confirm that, we have not been in negative list/blacklisted by any Public Sector Undertaking / Government Organization / BFCL.

We also confirm that the contents of this Tender have not been modified or altered by us. We agree that if any noticed in future, our Bid may be rejected / terminated.

We hereby confirm that we have gone through and understood the Tender Document and that our Bid has been prepared accordingly in compliance with the requirement stipulated in the said documents.

We undertake that Tender Document shall be deemed to form part of our Bid and in the event of award of work to us, the same shall be considered for constitution of Agreement. Further, we shall sign and stamp each page of Bidding Documents as a token of Acceptance and as a part of the Contract in the event of award of contract to us.

We further confirm that rate quoted by us include price for all services as mentioned in the Bidding Documents.

Stamp and signature of bidder:-----

Name of Bidder: -----

Note:- To be stamped and signed by the authorized signatory on letterhead of bidder.

Annexure-A

1. Description of Requirement

BVFCL desires to get review and test Internal Financial Control over Financial Reporting System for the financial year 2017-18 as per the requirements of Companies Act, 2013 read with rules of Companies (Accounts) Rules, 2014. The consultant has to prepare requisite framework of internal financial control systems along with all relevant documentation and reporting thereon for the financial year 2017-18. It is proposed to appoint a firm of Chartered Accountants to evaluate the Internal Financial Control (IFC) for the financial year 2017-18 & to report thereon.. Selected firm may visit to our LO offices and marketing office after consultation of DGM (Finance), if required for collection of data/information for review of existing system.

2. Requirements for Bid to be considered Valid.

The bid documents complete in all respects & duly signed with seal by authorized person shall be submitted by the bidder in two sealed separate envelopes as at (a) & (b) below. These two sealed envelopes should be kept under another sealed envelope and must be sent / delivered clearly super scribing:

"Application for the review of Internal financial control system and its adequacy of the corporation for the F/y 2017-18" and Tender No. **"A/III/BVFCL/F&A/IFC /2017-18 /08"**. Dt 07/12/2017

- a) Cover-1 **"Technical Bid for prequalification and Appointment of consultant 2017-18"**
- b) Cover-2, **"Financial Bid for appointment of consultant 2017-18"**
- c) Incomplete offers would be summarily rejected.
- d) No extension of time shall be permitted for the collection of Tender Documents and/or Tender opening date.
- e) No cutting or overwriting would be allowed in Financial Bid. In such cases, bid would not be considered.
- f) Offers submitted against tender documents only will be considered and the offer shall be in the name of the firm.
- g) While submitting the bid, tenderers are requested to ensure that bids are in compliance with the regulations applicable under various statutes. Any fine, penalty or expenses due to breach arising thereon will be borne by the tenderer; BVFCL will bear no financial implication on this account.
- h) BVFCL takes no responsibility for delays, loss or non-receipt of tender documents and also reserve the right to reject any offer in part or full without assigning any reasons thereof.
- i) BVFCL shall always be at liberty to reject or accept any offer or offers or part

thereof at its sole discretion. The submission of offer shall have no cause of action or claim against BVFCL for rejection of offer. The firm, whose offer is not accepted shall not be entitled to claim any costs, charges and expenses incidental to or incurred in connection with submission of offer or its consideration by BVFCL, even though BVFCL may opt to modify/withdraw the invitation to Tender or does not accept the offer or cancel the tender as a whole.

3. Evaluation criteria for Financial Bids:

- 3.1 The bids should be unconditional. Conditional bids would be summarily rejected.
- 3.2 Financial Bids shall be opened only after due scrutiny of Technical Bids is completed. The day for opening of Financial Bids shall be intimated to the techno commercially successful bidder separately.
- 3.3 Evaluation of bids shall be done on the basis of rates quoted in the price bid separately. However, Expenses towards boarding/lodging and TA etc. shall not be considered while evaluating financial bid.
- 3.4 If some discrepancies are found between the rates given in words & figures the rate as quoted in words shall be adopted.
- 3.5 Should there be a tie in the quotations received from different bidders, preference would be given to the firm which score higher point under Technical bid, further should there be again tie up then preference would be given to the firm that was incorporated earliest among the bidders.
- 3.6 Currencies for bid and payment shall be in Indian Rupees only.

4. Scope of Work and Time Schedule

- 4.1 Ensuring that Internal Controls over Financial Reporting (ICFR) frame work design is finalized for selected activities / account groups.
- 4.2 Key risks are identified.
- 4.3 Risk Control Matrix (RCM) is prepared which provides comprehensive tabulation of all identified risks and related activities.

Activities / Deliverables

A) Assessment of existence of present documentation and procedures and identification of areas for documentation required to be done.

1. Develop and document the internal financial control criteria of the company as per Companies Act, 2013 and the guidance note on "Audit of Internal Financial Controls over financial reporting " issued by ICAI vis – a – vis the internal control system already in place and suggest the new control systems and procedures (financial reporting controls) to be put in place to cover the various business functions /processes as below:
 - Identify significant accounts and mapping with the business process and sub process or identification of financial reporting risks (Materiality, quantitative and qualitative judgment).
 - Over view of the organizational structure and authority matrix.
 - Documented policies and procedures .

- Risk Management Framework adopted.
 - Formal Compliance Framework and reporting/escalation process for deviations / non-compliances.
 - Management Information System (MIS)- Structure and source of information.
2. Designing and developing internal control frame work both at head office level with liaison office and marketing office level:
 - Reporting format
 - Testing design effectiveness of controls
 - Risk assessment
 - Information system and communication
 - Testing operating effectiveness of controls
 - Monitoring of controls
 - Recommendation on documentation guidelines.
 - Recommendation on ways that the company may address control weaknesses.
 - Development of risks and control matrices including documentation of controls i.e. entity level control, pervasive control and process level control.
 3. Identifying areas of no documentation
 4. Examining the existing documentation for periodic revision and regular update.
 5. Overview of the existing IT system and platform used for operations and accounting.

B) Identification of Entity level controls instituted by the company. As given under your scope of work.

1. Identification of Entity level controls instituted in the following indicative areas:
 - Board: Composition, committees, oversight and roles and responsibilities, budgeting and vision.
 - Review of organizational set up, authority matrix, segregation of duties.
 - Review of HR policies, training code of conduct
 - Review of IT structure and governance model, disaster recovery plans, level of automation (ITGC).
 - Review of protocols for communications, reporting and monitoring, whistle blower policies.
 - Review of Financial Statement Closure Policy and process
 - Review of Fraud Prevention and Monitoring Policy and process.
 - Such other corporate processes as considered relevant.
2. Validating the test design.
3. Identifying key control lapses
4. Recommending remedial controls to mitigate the risks associated with missing controls which cannot be established immediately.

C) Review of business process and modification thereof:

- General accounting and reporting process (including financial closing)
- Procurement payment process
- Inventory management process
- Capital project and fixed assets
- Treasury Management (including cash and bank operations)
- Marketing and revenue management (including sales to collection process)

- Taxation process (Direct and Indirect taxes)
- HR and Pay Roll management process.
- Any other activity to be covered for compliance.

D) Determining Materiality Levels & identifying the areas for developing the RCM:

- Determine the materiality limits for key accounts, identified in mutual consultation with the company, so as to strengthen the coverage of IFC framework.
- Identify additional items for RCM preparation and testing based on other qualitative and regulatory review of financial reporting risks.
- Finalize areas for developing the RCMs and assign priority based on the criticality of the area-ensure coverage of all key account items by mapping those to the proposed RCMs.
- Draw up a schedule for development of RCMs in a manner that critical areas and areas requiring voluminous testing are taken first.

E) Designing the Risk Control Matrix (RCM) (For each Account group / item selected for development of RCM)

- Understand the detailed process flow on an 'as is' basis w.r.t. the select area along with the corresponding financial accounts impacted.
- Identify the key risks associated with the process.
- Classify the financial reporting risks based on criticality.
- Map the risks with the controls instated by the company.
- Recommended areas where controls need to be designed and implemented (identify design deficiency)
- Finalize the process flow incorporating additional controls agreed to be incorporated.
- Finalize and present the RCM, which may then be subjected to testing operational effectiveness of controls.

F) Test for Design of Controls.

G) Knowledge Transfer: substance of ICFR & monitoring framework

- Develop the ICFR frame work, approach and methodology document.
- Develop the test plans for plans for confirming operational effectiveness of IFCR on an on-going basis.

5. The scope of services shall apply to the following plants/ offices:

- Head office in Namrup, Marketing Office in Guwahati, LO office Kolkata & LO office Noida.

6. Preparation of detailed framework of internal financial control system of the Company:

Preparation of the detailed frame work which among other things will also include a time schedule with clearly defined activities for ensuring review of internal financial control system. The consultant to give a detailed presentation of the changes required for effective and efficient internal financial control and the key areas of attention to the management including improvements and necessary changes in the system required for compliance as per the requirements of Companies Act, 2013 on financial as well as non-

financial matters before the Audit Committee Members and Board of Directors as and when required in respect of the following:-

- I. Review of Internal Control Policy
- II. Adequacy and effectiveness of internal financial control.
- III. Review of internal control system and procedure and their operating effectiveness.

7. Time line for completion of the Project.

Sl. No	Particulars	Timelines
1	Examination of system(With special emphasis on changes in business process and policies effected since the previous year) and carrying out of all tests and verification that will help to identify gaps, if any.	By the 4 th week of February 2018.
2	Complete the process of documentation, discussions on the gaps and ways to remove those so that long term interest of the organization can be ensured by establishing systems that compare with the best in class. The observation / report may be submitted in quarterly / half yearly / yearly as directed by the management.	By 31 st March, 2018

8. Detailed Terms & Conditions

- 8.1 The work order of BVFCL, Namrup , assignments shall be given to one firm only.
- 8.2 The job is to be taken up as early as possible.
- 8.3 The firm appointed by BVFCL must not sub- contract the work.
- 8.4 If process/ performance of the audit team are not found satisfactory, the management reserves the right to terminate the appointment of the firm at any time.
- 8.5 Shifting of Office file out of the office premises is not allowed in any case. However, in case of any urgency, the files can be taken with written consent of the concerned Head of Division/ office.
- 8.6 In case LOA (Letter of Appointment) issued is not accepted by the L1 bidder, the bidder shall be debarred for 3 (three) years from the date of default.
- 8.7 While submitting Report, Partner/Proprietor shall visit to Namrup for discussion with the Management.
- 8.8 Payment will be released only after successful completion of the job.
- 8.9 No advance shall be payable under any circumstances and payment shall be remitted through RTGS as per the bank details mentioned on bill submitted to Corporation. TDS and other applicable taxes shall be deducted as per prevailing taxes rules.
- 8.10 The report should be submitted to the Management along with necessary remedial suggestion for taking corrective actions.
- 8.11 BVFCL shall not be responsible for any other expenses incurred by bidder.
- 8.12 **Travelling expenses will be paid in the following manner:-**

I. For Partners:

- a) In general, to and fro 2nd AC Railway fare in the shortest rout or as per actual whichever is less on submission of documentary evidence.
- b) For visit to Noida liaison office , reimbursement of travelling expenses for one partner (to and fro) by 2AC rail fare / Air (Economy class) or as per actual whichever is less on submission of documentary evidence.

II. **For other Audit Staff:**

- a) In general, to and fro 3rd AC Railway fare in the shortest route or as per actual whichever is less on submission of documentary evidence. However, for audit staff this facility shall be available once in a month.
 - b) For visit to Noida liaison office TA reimbursement will be same as expressed in above point no. 'a'.
- III. Local transport at the Namrup station to and fro Railway station / Bus stand and Company's Guest house to place of work will be provided by the company free of charge. However, in respect of local transport charges at the originating destination, audit place, the reimbursement shall be limited to auto charges @ Rs. 200/- to Audit staff and Rs. 300/- for partner by taxi, or actual whichever is less.
- IV. Travelling expenditure will be reimbursed after verification of supporting documents and which will be duly signed by the partner / proprietor of the firm.

8.13 **Lodging & Fooding will be paid in the following manners:**

- I. Corporation will provide accommodation including fooding to partner of the firm and also to audit staff in the Company's Guest House at Namrup on free of cost.
- II. For visit to Noida, Kolkata & Guwahati, Auditor will get lodging and fooding reimbursement limited to Rs. 1000/- (per day) to Audit Staff and Rs. 1500/-(per day) for partner or actual whichever is less.

8.14 The period of assignment will be initially for the Financial Year 2017-18 and thereafter depending upon the performance of the firm, the assignment will be extendable for financial year 2018-19 on the same terms & conditions.

8.15 All the pages of the proposal document shall have to be signed by the applicant firm(s) with the firm's seal and documents submitted along-with the offer shall also have to be authenticated by the authorized signatory of the applicant firm(s) with the firm's seal.

8.16 The proposal should be submitted strictly as per the terms & conditions laid down in the document.

9. Action against the Tenderer

Failure to act according to tender conditions, non-fulfilment of any or whole of the contract may entail de-listing of the firm in addition to taking other appropriate action against the Firm as per law.

If a tenderer resorts to any frivolous, malicious or baseless complaints/allegations with intent to hamper or delay the tendering process or resorts to canvassing/rigging/lance the tendering process, BVFCL reserves the right to debar such tenderer from participation in the present/future tenders up to a period of 3 years.

10. Arbitration:

Except where otherwise provided in the contract all matters, questions, disputes or differences whatsoever, which shall at any time arise between the parties hereto, touching the construction, meaning, operation or effect of the contract, or out of the matters relating to the contract or breach thereof, or the respective rights or liabilities of the parties, whether during or

after completion of works or whether before or after termination shall after written notice by either party to the contract be referred to DGM (Finance), BVFCL for appointment of Arbitrator.

The Arbitration proceedings shall be governed by the Arbitration & Conciliation Act, 1996, The Arbitration & Conciliation (Amendment Act 2015) or any further statutory modification or re-enhancement thereof and the rules made there under.

If the arbitrator to whom matter is referred, vacates his/her office by any reason whatsoever then the next arbitrator so appointed by the authority referred above may start the proceedings from where his predecessor left or at any such stage he may deem fit..

It is agreed by and between the parties that in case a reference is made to the Arbitrator or the Arbitral Tribunal for the purpose of resolving the disputes/ differences arising out of the contract by and between the parties hereto, the Arbitrator or the Arbitral Tribunal shall not award interest on the awarded amount more than the rate SBI PLR / Base Rate applicable to BVFCL on the date of award of contract.

11. Jurisdiction

In respect of all tender conditions, the decision of BVFCL shall be final and binding. The venue of the Arbitration shall be Namrup & Dibrugarh Court will have exclusive jurisdiction.

12. General

Bidder/Tenderer shall mean the firm who submits the tender and enters into contract with BVFCL and shall include their executors, administrators and successors and permitted assignees.
