

- c) Bids of those bidders who have not submitted the requisite amount of Bid Security (EMD) shall not be considered for evaluation. Bids from those Bidders to whom the Tender documents have not been issued by the Employer, will not be considered.
- 2.2 Bidders shall not be under a declaration of ineligibility for corrupt and fraudulent practices by the Employer, any Government institution or Public Sector Undertaking in India in accordance with ITB clause 32.1 or otherwise.
- 2.3 The Bidders whose contract(s) have been terminated due to poor performance by the Employer, shall not be allowed to participate in the bidding process for next 5 years w.e.f the date of notification of termination.
- 2.4 Bidders shall not have been banned/ de-listed/ black listed/ debarred from business on the ground mentioned in para 6 of Guidelines on Banning of Business dealings (Annexure-2A) to Integrity Pact (Annexure-2 of ITB). Self-Declaration in this regard is to be submitted as per the enclosed proforma.
- 2.5 To qualify for Contract for which bids are invited in the Notice Inviting Tender, the bidder must demonstrate having financial capability and resources sufficient to meet the aggregate of the qualifying criteria. Failure to produce the certificates and documents in this regard shall make the bid non-responsive.

Even though the bidders meet the qualifying criteria, they are subject to be disqualified if they have made misleading or false representations in the forms, statements, declarations and attachments submitted in proof of the qualification requirements.

3. QUALIFICATION OF THE BIDDER

3.1 All bidders shall include the following information and documents with their bids in Qualification Information unless otherwise stated in the ITB:

- a) written power of attorney of the signatory of the Bid to commit the Bidder. Additional information as sought in the Annexure-3A (Qualification Information Sheets of ITB) shall be provided.
- b) Deleted.c) Information on financial criteria stipulated in clause 3.2 B shall be furnished along with Copy of affidavit/Certificate of CA mentioning Financial Turnover of last 5 (Five) years. Printed Annual reports or financial statements of the Bidder, such as balance sheet, profit and loss statements and auditor's reports as the case may be for the past 5 (Five) years shall be submitted to ascertain bidder's meeting the financial criteria.
- d) Time Schedule (as per Appendix-4 of Vol.5: Forms and Procedures)

3.2. QUALIFICATION CRITERIA

The qualification will be subject to Bidder's fulfillment of the Qualification Criteria set and stipulated hereunder, substantiated by authentic and relevant information and details. Additional information in support of their claims of achievements may be furnished in any form of their device and design. The Bidder(s) who wish to apply for Tender for the aforesaid work must satisfy the following qualifying criteria:

3.2. A Deleted

3.2. B Financial Criteria

- i. **Turnover:** Minimum Average Annual turnover of the bidder in the preceding three years shall be Rs. 398 crores.
- ii. **Networth:** The Net worth of the Bidder to be positive and not less than the amount of Paid-up Equity Share Capital in 3 out of preceding 5 years. The net worth should

not be negative and not less than amount of paid up equity share capital in immediate preceding year.

- iii. **Working Capital:** The working capital (current assets minus current liabilities) shall be atleast Rs. 44.28 crores.

For this purpose current assets and current liabilities will be considered as classified in the audited balance sheet for the year immediately preceding the date of opening of applications. If the Working Capital calculated from the audited Balance Sheets is negative then such working capital shall be treated as zero. In case there is a shortfall in the Working Capital as per this, the unutilized Cash Credit Limits sanctioned to the applicant by the Banks/Financial Institutions of international repute shall be considered to meet the shortfall.

The statement displaying Cash Credit limits should not be more than three months old as on the last date for submission of bids.

Notes:

1. Other income shall not be considered for arriving at Annual Turnover.
2. The Bidder's financial evaluation vis a vis the requirement as stipulated above shall be done on the basis of duly printed (offset) Annual Report for the immediately preceding 5 (Five) years submitted by the Bidder along with the bid. Further, standalone audited Annual Financial Statement of Bidder shall be forming part of the Annual Report.
In case, if Bidder has not submitted the above Annual Report along with bid, then a certificate from CEO/CFO of the Bidder shall be submitted along with the bid mentioning that the requirement of Annual Report as per governing law of country is not mandatory. In such cases duly notarized copies of Audited Printed Annual Financial Statement (Balance Sheet, Profit & Loss Statement, cash flow statement, Auditor's Report thereon including all relevant Schedules/Annexures etc.) for the immediately preceding 5 (Five) years be submitted by the Bidder along with the bid.
3. In case where Audited financial results for the immediately preceding year are not available, then a statement of account as on the closing date of the immediately preceding financial year depicting the Turnover, Net Worth, Working Capital (calculated as per laid down criteria) duly certified by their Statutory Auditor/ Certified Public Accountant (CPA) carrying out the Statutory Audit shall be enclosed with the bid along with copy of appointment letter of the Statutory Auditor/ CPA.
4. Wherever, the Annual Report/ duly notarized copies of Audited Printed Annual Financial Statement are in language other than English, then copy duly translated & printed into English language and certified by approved/ recognized English translator shall be submitted with the Bid.

- 3.2.C** The Bidder against whom an application for initiating corporate insolvency resolution process has been admitted by the Adjudicating Authority under the Insolvency and Bankruptcy code 2016, or as amended from time to time shall not be eligible for bidding. The same shall also be applicable to the bidder company who has taken unconditional technical and/or financial support from their Parent/Holding company, against whom an

application for initiating corporate insolvency resolution process has been admitted by the Adjudicating Authority under the Insolvency and Bankruptcy code 2016, or as amended from time to time(IBC 2016 hereafter).

In case, bidder or Parent/Holding Company in respect of whom any application for initiating corporate insolvency resolution process was not admitted at the time of submission of bid but subsequently during the period of evaluation of bids or any time before the work is awarded, any such application is admitted by the Adjudicating Authority under the IBC 2016, the bidder shall be considered as ineligible and his bid shall be rejected.

Further, the bidder while submitting the bid or during the period of evaluation of bids or any time before the award of work, shall inform NHPC regarding any admission of application for corporate insolvency resolution process by the Adjudicating Authority under the IBC 2016 against bidder or Parent/Holding Company and any suppression of such fact shall render the bidder liable for rejection of his bid and banning of business dealing as per terms and conditions of the Bid Document.

3.2.D Joint Ventures/ Consortiums / Collaborations are not allowed.

3.3 Each bidder must also produce with their Bid:

- i) PAN No. and EPF Registration No. ;
- ii) GST Registration No.
- iii) A declaration that the information furnished with the bid documents is correct in all respects in Annexure-1: Form of declaration
- iv) Such other certificates, if any, as defined in the ITB.

3.4 To qualify for Contract for which bids are invited in the Notice Inviting Tender, the bidder must demonstrate having financial capability and resources sufficient to meet the aggregate of the qualifying criteria. Failure to produce the certificates and documents as required under clause 3.2 shall make the bid non-responsive.

3.5 Deleted.

3.6 Even though the bidders meet the above qualifying criteria, they are subject to be disqualified if they have made misleading or false representations in the forms, statements, declarations and attachments submitted in proof of the qualification requirements.

4. TIME FOR COMPLETION

The successful bidder shall complete the entire work within the time specified under S. No.-1 above, to be reckoned from the date of issue of Letter of Acceptance.

5. Tenders must be accompanied by the earnest money of the amount specified for the work in the table. The bids not accompanied by the requisite bid security shall be rejected as non-responsive.

6. Deleted

7. PRE-BID MEETING