

## **5.0 Qualifying Requirements for Bidders:**

The bidder who wishes to participate in the bidding shall meet the Qualifying Requirements stipulated hereunder: -

### **5.1 Technical Criteria:-**

**5.1.1** ) The bidder should have executed “ **Civil Work(s), comprising of Road works, building works and associated electrical works, either as a developer or as a Civil Agency**” within the preceding seven (7) years prior to the date of Techno-Commercial bid opening, in any of the following manner:-

(i) Single(01) order having executed value not less than **Rs. 11340 Lakhs.**

**OR**

(ii) Two(02) orders having executed value not less than **Rs. 7087 Lakh each.**

**OR**

iii) Three(03) orders having executed value not less than **Rs. 5670 Lakh each.**

### **Notes for Clause No. 5.1 above:**

- a) The word “Executed” mentioned above means that the bidder should have achieved the criteria specified above, even if the total contract is started earlier and/or is not completed/closed.
- b) In case of orders under execution, the value of work executed prior to the date of Techno- Commercial bid opening duly certified by bidder’s client shall be considered acceptable.
- c) Reference work executed by the bidder as a sub-contractor may also be considered provided the certificate issued by main contractor is duly certified by owner specifying the scope of work executed by the sub-contractor in support of qualifying requirements.
- d). For arriving at the executed value of work specified above, basic amount only shall be considered. In case contract is inclusive of taxes, bidder should provide the break – up of basic value and taxes.
- e). Developer means an entity who has either executed or got executed the work/ project as owner of infrastructure projects.
- f). If the value of reference work is indicated in foreign currency, the exchange rate as on date of award of the reference work shall be considered. In case the exchange rate as on the date of award is not available, the exchange rate as on the next available day shall be considered.

### **5.2 Financial Criteria:-**

5.2.1 The average annual turnover of the bidder should not be less than **INR 14,175 Lakh (Indian Rupees Fourteen Thousand One Hundred Seventy Five Lakh Only)**, during the preceding three (3) financial year's as on the date of Techno-Commercial bid opening.

5.2.2 In case the Bidder does not satisfy the financial criteria, stipulated at Cl. 5.2.1 above on its own, its Holding Company would be required to meet the stipulated turnover requirements at Cl. 5.2.1 above, provided that the net worth of such Holding Company as on the last day of the preceding financial year is at least equal to or more than the paid-up share capital of the Holding Company. In such an event, the bidder would be required to furnish along with its Techno-Commercial bid, a Letter of Undertaking from the Holding Company, supported by Board Resolution, as per the format enclosed in the bid documents, pledging unconditional and irrevocable financial support for the execution of the Contract by the bidder in case of award.

5.2.3 Net Worth of the Bidder as on the last day of the preceding financial year should not be less than 100% (hundred percent) of bidder's paid-up share capital. In case the Bidder does not satisfy the Net Worth criteria on its own, it can meet the requirement of Net worth based on the strength of its Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding companies wherever applicable, the Net worth of the Bidder and its Subsidiary (ies) and/or Holding Company and/or Subsidiary (ies) of the Holding Company, in combined manner should not be less than 100% (hundred percent) of their total paid up share capital. However, individually, their Net worth should not be less than 75% (seventy-five percent) of their respective paid up share capitals.

Net worth in combined manner shall be calculated as follows:

Net worth (combined) =  $(X1 + X2 + X3) / (Y1 + Y2 + Y3) \times 100$  where X1, X2, X3 are individual Net worth which should not be less than 75% of the respective paid up share capitals and Y1, Y2, Y3 are individual paid up share capitals.

5.2.4. In case the bidder is not able to furnish **its audited financial statements on stand-alone entity basis**, the unaudited unconsolidated financial statements of the bidder can be considered acceptable provided the bidder further furnishes the following documents for substantiation of its qualification:

- a. Copies of the unaudited unconsolidated financial statements of the bidder along with copies of the audited consolidated financial statements of its Holding Company.
- b. A Certificate from the CEO/CFO of the Holding Company, as per the format enclosed in the bidding documents, stating that the unaudited unconsolidated financial statements form part of the consolidated annual financial statements of the Holding Company.

5.2.5 In cases **where audited results for the last financial year** as on the date of techno commercial bid opening **are not available**, the financial results **certified by a practicing Chartered Accountant** shall be considered acceptable. In case, Bidder is not able to submit the certificate from practicing Chartered Accountant certifying its financial parameters, the audited results for the three consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters. Further, a **Certificate** would be required **from CEO/CFO** as

per the format enclosed in the bidding documents stating that the Financial results of the Company are under audit as on the date of Techno commercial bid opening and the Certificate from the practicing Chartered Accountant certifying the financial parameters is not available.

**5.2.6 Note for Clause No. 5.2 above:**

1. **Net worth means** the sum total of the paid-up share capital and free reserves. Free reserve means all reserves credited out of the profits and share premium account but does not include reserves credited out of the revaluation of the assets, write back of depreciation provision and amalgamation. Further, any debit balance of Profit and Loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from reserves and surplus.
2. **Other income** shall not be considered for arriving at annual turnover.
3. **"Holding Company"** and **"Subsidiary Company"** shall have the meaning ascribed to them as per Companies Act of India.
4. For the value of annual turnover indicated in foreign currency, the exchange rates as on seven (7) days prior to the date of Techno-commercial bid opening shall be used.

6. Notwithstanding anything stated above, the Employer reserves the right to assess the capabilities and capacity of the Bidder/ his collaborators /associates/ subsidiaries / group companies to perform the contract, should the circumstances warrant such assessment in the overall interest of the Employer. The physical assessment shall include but not be limited to the assessment of office/facilities/banker's/reference workers by Employer. A negative determination of such assessment of capacity and capabilities may result in rejection of the bid.

***7. 'Class-I local suppliers' only are eligible to participate in this tender, as defined in the bidding documents/ Public Procurement (Preference to Make in India), Order 2017 and its subsequent amendments/ revisions issued by DPIIT. The bidders may apprise themselves of the relevant provisions of bidding documents in this regard before submission of their bids.***

8. Any 'Bidder from a country which shares a land border with India', as specified in the Bidding Documents, will be eligible to bid in this tender only if bidder is registered with the Competent Authority as mentioned in the Bidding Documents.

Further, any bidder (including bidder from India) having specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India, will be eligible to bid only if the bidder is registered with the same competent authority.

However, the said requirement of registration will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects.

9. NTPC reserves the right to reject any or all bids or cancel/withdraw the NIT for the subject package without assigning any reason whatsoever and in such case no bidder/intending bidder shall have any claim arising out of such action.

10. NTPC reserves right to amend any bid/tender conditions through appropriate CORRIGENDUMS published in the portal AT ANY TIME. NTPC also reserves the right to extend/change the bidding schedule through publishing necessary CORRIGENDUMS in the portal if

the situation demands so AT ANY TIME. The corrigendum as decided by NTPC and deemed fit would be published in the portal as per provisions therein. **This prevails over the relevant provisions elsewhere in the bid document.** The corrigendum/amendment as published/posted in the portal will be binding on Bidders and it will be assumed that the information contained therein will have been taken into account by the Bidder in its bid. Bidders are advised to regularly check the tender regarding posting of Amendments/Corrigendums , if any.

11. Issuance of bid documents to any bidder shall not construe that such bidder is considered to be qualified. Bids shall be submitted online and opened at the address given below in the presence of Bidder's representatives who choose to attend the bid opening.

12.The bid document consists of the followings:

- Section I     Invitation for Bids (IFB)/ Notice Inviting Tender (NIT)**
- II            Instructions to Bidders (ITB)**
- III           Bid Data Sheet (BDS)**
- IV           General Conditions of Contract (GCC)**
- V            Special Conditions of Contract (SCC)**
- VI           Technical Specifications/Scope of Work, Drawings and Quality Plans**
- VII          Schedule of Quantities (SOQ)**
- VIII        Forms and Procedures**

**13. IMPORTANT NOTES:**

a) **Attachment 3** - QR DATA SHEET (ATTACHED separately for the package as bid document) is to be filled up properly for the stipulated QR parameters and to be submitted in the bid at appropriate file/folder provided for the purpose.

b) LATEST PROVISIONS FOR "AUTHENTICATION OF VERACITY OF DOCUMENTS SUBMITTED BY THE BIDDER IN SUPPORT OF QUALIFYING REQUIREMENT" HAS BEEN INCORPORATED IN CLAUSE NO 6.2 OF BID DATA SHEET (SECTION III-BDS). AUTHENTICATED DOCUMENTS (AS APPLICABLE- FROM INDEPENDENT STATUTORY AUDITOR OF BIDDER/ OR SPECIFIED THIRD-PARTY INSPECTION AGENCY (TPIA)) IN LINE WITH THE SAID PROVISIONS TO BE COMPLIED.

b) **UDIN:** Any Certificate(s) / Financial Statement(s) / Audited Balance Sheet and P&L Account (wherever applicable) undertaken/ signed by a Member of Institute of Chartered Accountant of India (ICAI), which Bidders submit in support of compliance to Qualifying Requirements (QR), will carry Unique Document Identification Number (UDIN) generated in line with the Gazette Notification of Council of Institute of Chartered Accountant of India (ICAI). It is mandatory to mention UDIN (Unique Document Identification Number) by the bidders while submitting audited financial statements, other CA certificates etc. w.e.f. date as mentioned in ICAI gazette notification dt. 02.08.2019.

c) The bid specific data for the package AS MENTIONED IN Bid Data Sheet (Section III- BDS) shall amend and/or supplement the provisions in the Instructions to Bidders (Section II- ITB).

Wherever there is a conflict, the provisions BDS shall prevail over those in the ITB.

*d) Special Conditions of Contract (SCC), Section-V, shall supplement/ amend the General Conditions of Contract (GCC) Section-IV of Standard Bidding Document, wherever there is a conflict, the provisions in SCC shall prevail over those in the GCC of Standard Bidding Document.*

e) THIS IS A NO DEVIATION TENDER, WHICH MEANS- NO DEVIATION, WHATSOEVER, IS PERMITTED BY THE EMPLOYER TO ANY PROVISIONS OF BIDDING DOCUMENTS.

GTE PROVISION IN THE BID SUBMISSION PROCESS IN TENDERING PLATFORM IS TO BE ACCEPTED FOR NO DEVIATION/ FULL COMPLIANCE TO THE BID DOCUMENTS. ACCEPTANCE TO THE SAID GTE WOULD CONFIRM THAT THE BIDDER HAVE ACCEPTED ALL THE TERMS AND CONDITIONS OF THE BID DOCUMENT.

14. The bidding document is available online. A complete set of Bidding Documents may be downloaded by any interested Bidder from the NTPC tender website <https://eprocurentpc.nic.in>. The Bidder would be required to register on the website.

First time users are required to register themselves on NTPC tender website (<https://eprocurentpc.nic.in>) after filling up the required details. Note that 1<sup>st</sup> time bidders can participate in NTPC Open Tenders without having NTPC's Vendor Code.

Note: No Hard Copy of bidding documents shall be issued.

However, users whose email address has not been linked to a vendor code allotted by NTPC/ first time users not having been allotted any vendor code by NTPC, should send a copy of the registration details to the e-mail address specified in this NIT under Address for Communication with following details at least three working days prior to Technical Opening Date:

- a) Request on the letter head of the Company
- b) Address Proof
- c) Copy of GST Registration Certificate & PAN Card,
- d) Email ID and Contact No.
- e) Name and Designation of the contact person
- f) Cancelled cheque & E.F.T form duly verified by bank

Vendor Code shall only be issued to the 1<sup>st</sup> time bidder during evaluation, who becomes L1.

15. Transfer of Bidding Documents purchased by one intending Bidder to another is not permissible.
16. All references to the **“Policy for Withholding & Banning of Business Dealings”** appearing anywhere in the Standard Bidding Documents shall be replaced with **“Policy for Debarment from Business Dealings”**.
17. It is hereby certified that all the guidelines circulated by NTPC in pursuance of Public Procurement (Preference to Make in India) 'PPP-MII' Orders issued by DPIIT / MoP have been complied with for the subject tender.

**18. *The reference works whose details have been declared in their bid shall only be considered to ascertain the bidder's compliance to the specified qualifying Requirement (QR). The Employer at its discretion may seek any clarification and/or documentary evidence only for the reference works as mentioned their Bid. However, no change or substitution of the reference works by new/additional plant for conforming to the specified qualifying Requirement shall be sought, offered or permitted***".

**19. Address for Communication:**

1. Sh.Amit Kumar,  
DGM (C&M-CS)

2. Sh.DhananjayMohapatra,  
AGM (C&M-CS)

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**Websites:** <https://eprocurementpc.nic.in> , [www.ntpctender.ntpc.co.in](http://www.ntpctender.ntpc.co.in) or [www.ntpc.co.in](http://www.ntpc.co.in)

**Registered Office:**

NTPC Limited, NTPC Bhawan, SCOPE Complex, 7, Institutional Area, Lodi Road, New Delhi – 110003, Corporate Identification Number: L40101DL1975GOI007966., Website: [www.ntpc.co.in](http://www.ntpc.co.in)

**CERTIFICATE FOR COMPLIANCE OF THE PUBLIC PROCUREMENT**  
**(PREFERENCE TO MAKE IN INDIA) 'PPP-MII' ORDER**

It is hereby certified that all the guidelines circulated by NTPC in pursuance of Public Procurement (Preference to Make in India) 'PPP-MII' Orders of DPIIT / MoP have been complied with in tender No. **“NRE-CS-5779-004(INFRA)-9”** for **“EPC package for Infrastructure development for 4750 MW RE Park at Khavda Rann of Kutch.”**

(Signature)

Concerned C&M Coordinator

(not below the level of DGM)