


<p>ईस्टर्नकोलफील्ड्सलिमिटेड (कोल इंडिया का एक अभिन्न अंग) महाप्रबंधकका कार्यालय सतग्राम क्षेत्र,पत्रालय- देवचंदनगर, जिला- पश्चिम बर्धमान,पश्चिमबंगाल-713332 परियोजना निर्माण एवंविकाश विभाग सी.आइ.एन.- U10101WB1975GOI030295 वेबसाइट-www.easterncoal.nic.in</p>		<p>EASTERN COALFIELDS LIMITED (A subsidiary of Coal India Limited) Office of the General Manager Satgram Area P.O-Deochandnagar Dist.-Paschim Bardhman, West Bengal- 713332 PC&D Department CIN-U10101WB1975GOI030295 Website- www.easterncoal.nic.in</p>
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NIT No.: SAT/GM/AMPCD/CT/SP/21-22/954

Date:16.02.2021

e-TENDERNOTICE
(For Loading & Transportation of Coal / Sand)
(Under Discount Bidding System)

1. **Discount bid on SOR** are invited online **(SINGLE COVER SYSTEM)** on the website <https://coalindiatenders.nic.in> from eligible 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 work of “Transportation of Coal from bunker to ground stock, Satgram Project/ MS Siding and loading and transporting from Ground stock to MS Siding for a period of one year”.

Details of Work:

Particulars of Work		Lead Distance (in KM)	Approx. Quantity (Te)	Estimated Contract Value (ECV)*(₹) (Including GST)	Period of Completion (In Days)
From	To				
1)Coal transportation from bunker, Satgram Project by 10 wheeler tipping trucks	MS Siding	5-6	59000	3380700.00	365
2) Coal transportation from bunker, Satgram Project by 10 wheeler tipping trucks	Gr stock Sat Proj	0-01	1000	20230.00	
3)Transportation from Colliery Depot Stock by 10 wheeler tipping trucks	MS Siding	5-6	1000	57300.00	
4)Loading of coal by payloaders into tippers at Ground Stock, Satgram Project			1000	12059.60	
Total				34,70,289.60	

NOTE 1:Estimated Contract Value is based on SOR at Diesel Price as on 20.11.2020 of Rs. 74.32/ Ltr

NOTE 2: The bid documents will be available on the e-Procurement Portal of CIL <https://www.coalindiatenders.nic.in> and can be downloaded by the bidder up to the bid submission end date. The details of the tender will be mirrored in the central Public Procurement Portal <http://eprocure.gov.in> of Govt. of

India

The above quantities are as per plan and projections. This may vary due to unavoidable circumstances beyond the control of management, for which no claim from the contractors will be admissible by the management

This bid shall be guided by 'Terms & Conditions of applicable SOR' and the 'Guidelines for e-Procurement of Works & Services' of CIL' approved by the Board of Directors of CIL.

NOTE 4: Guidelines for e-Procurement of Works & Services will be available on <http://www.easterncoal.nic.in>.

2. A) Details of GST Registration of ECL:

GSTIN of ECL	West Bengal (WB)	Jharkhand (JH)
	19AAACE7590E1ZI	20AAACE7590E3ZX

B) Salient Details of Tender:

Application Fee	Not Applicable
Goods & Services Tax (GST)	Applicable
Input Tax Credit (ITC) to ECL	Available
Price Variation Clause	Applicable
Basis of estimate	As per SOR 2019as on 20.11.2020 at a diesel price of Rs. 74.32/ Ltr

3. Time Schedule of Tender:

Sl. No.	Particulars	Date (DD:MM:YYYY)	Time (HH:MM)
a.	Tender e-Publicationdate	22.02.2021	17:00
b.	Document download startdate	22.02.2021	17:00
c.	Document download enddate	15.03.2021	17:00
d.	Bid submission startdate	23.02.2021	10:00
e.	Bid submission enddate	15.03.2021	17:00
f.	Start date for seeking clarificationonline	23.02.2021	10:00
g.	Last date for seeking clarificationonline	06.03.2021	17:00
h.	Bid Openingdate (Cover-I : Both Technical Bid & Price Bid)	17.03.2021	10:00

4. Deposit of EMD:

In place of EMD, Bidders shall have to sign a **Bid Securing Declaration(BSD)** accepting that if they

withdraw or modify their Bids during the period of validity, or if they are awarded the contract and they fail to sign the contract, or to submit a performance security before the deadline or any other default which attracts forfeiture of EMD (as per bid documents) as defined in the request for bids document, they will be banned for two years from being eligible to submit Bids in CIL and its subsidiaries. This banning shall be done under the provisions of the NIT with the approval of Tender Accepting authority with intimation to all concerned and online blocking of the bidder shall be done on receipt of written communication from the Tender Inviting Authority by Application Admin of CIL e-Procurement portal.

5. **Downloading of Tender document:** The Tender document can be downloaded by any prospective bidder from the e-Procurement portal free of cost. The download of tender document may start immediately after e-Publication of NIT and shall continue till the last date and time of bid submission.
6. **Seeking 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. The clarifications may be asked from the day of e-Publication of NIT. The period for seeking clarification by bidder will be up to **7 (Seven) days** before the end date of bid submission. The replies to clarifications sought by bidders should be given by the department at least **2 (Two) days** before the end date of bid submission.
7. **Eligible Bidders:** Eligible Bidders: The invitation for bids is open to all bidders including an:
 - a. Individual/proprietorship firm,
 - b. Partnership firm
 - c. Micro and Small Enterprise (MSE)
 - d. Company registered under companies act.

Having eligibility to participate as per eligibility criteria stipulated in NIT and having Digital Signature Certificate (DSC) issued from any agency authorized by Controller of Certifying Authority (CCA), Govt. of India.

NOTE : Procurement from Micro and Small Enterprises (MSEs) shall be applicable for Service Tenders in accordance to the notification of Govt of India and including its amendment(s) as notified by Gol from time to time.

- (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. viii) 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.

8. Eligibility Criteria:

(i) WORK EXPERIENCE:

The bidder must have in its name, experience of having successfully executed (includes completed / ongoing) works of similar* nature valuing **25%** of the estimated cost of the work put to tender in any year (a 'year' in this context is a continuous period of 365 days starting at any date of the year) during last **7 (Seven)** years ending last day of month previous to the one in which bid applications are invited.

***Similar nature of work:**

- Mechanical Loading & Transportation / Mechanical Removal of Coal / Overburden / Shale / Extraneous materials / Sand etc.

NOTE : Bidder having work experience of proportionate to their share as a stake holder in partnership firm shall be agreeable.

In respect of the above eligibility criteria the bidders are required to furnish the following information online:

- (1) Start date of the year for which work experience of bidder is to be considered for eligibility.
- (2) Start date & end date of each qualifying experience (Similar Work).
- (3) Agreement Number / Work Order Number of each experience.
- (4) Name and address of employer / Work Order Issuing authority of each experience.
- (5) Percentage (%) share of each experience (100% in case of an Individual/proprietorship firm or the actual% of share in case of a Joint Venture/Partnership firm).
- (6) Executed Value of work against each experience.
- (7) In case the bidder is a Joint Venture (as applicable), 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. ***If a bidder participates as Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them.***

- (ii) **FLEET REQUIREMENT:** The bidder is required to give an undertaking in the form of an Affidavit (duly Notarised) in the prescribed format to deploy matching equipment / Truck/Tipping Trucks/Pay Loaders as per discount bid either owned or hired / partially both.

Type of Fleet / Equipment	Measure of Capacity	Unit of Capacity	Minimum Capacity required for each fleet / equipment	Total Equivalent Capacity required to be deployed daily for execution of work
Tipping trucks	Carrying capacity	Te	11.50	23
Pay loader	Bucket capacity	Cum	3.5	3.5

- (iii) **PERMANENT ACCOUNT NUMBER(PAN):** The bidders should possess a valid Permanent Account Number (PAN) issued by Income Tax Department, Govt. of India.

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

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 valid PAN status of the bidder.

(iv) 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.t 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) Status: GST Registered Bidder under composition scheme.
Document: GST Registration Certificate (i.e. CST identification Number) issued by appropriate authority of India.
- c) Status: GST unregistered bidder:

Document: A Certificate from a practicing Chartered Accountant having membership number with institute of Chartered Accountants of India certifying that the bidder is GST unregistered bidder/dealer in compliance with the relevant GST rules of India.

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

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.

(v) LEGAL STATUS OF THE BIDDER:

In respect of the above eligibility criteria, the bidder is required to upload the scanned copy of any of the following:

- (i) Affidavit or any other document to prove proprietorship/Individual status of the bidder.
- (ii) Partnership deed containing name of partners.

(iii) Memorandum & Article of Association with certificate of incorporation containing name of 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 Legal status of the bidder.

(vi) **DIGITAL SIGNATURE CERTIFICATE (DSC):** If the bidder himself is the valid DSC holder bidding online then self-declaration as per the *DSC Authorization format*. However, if the valid DSC holder is bidding online on behalf of the bidder then the Power of Attorney as per the *DSC Authorization format* or any sort of legally acceptable document for the authority to bid on behalf of the 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 DSC Authorization status of the bidder.

(vii) **BID SECURITY DECLARATION:** Bidders are required to give **Bid Security Declaration** in bidder's letter head in the prescribed format in lieu of deposit of EMD.

In respect of the above eligibility criteria the bidders are required to furnish the following information online:

Confirmation in the form of Yes/No regarding submission of **Bid Security Declaration** as enlisted in NIT.

9. INSTRUCTIONS TO BIDDERS (ITB):

i. Submission of Bid: In order to submit the Bid, the bidders have to get themselves registered online on the e-Procurement portal of CIL i.e. at <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 onetime activity only. The prospective bidders should register for availing these services through the option "**Online Bidder Enrollment**" on the homepage of <https://coalindiatenders.nic.in>. **The registrations should be in the name of bidder** (example given below), whereas DSC holder may be either bidder himself or his duly authorized person.

EXAMPLE: If any bidder willing to participate in the tender as an individual/partnership firm, the bidder should enroll/register their Company name at CIL's e-Tendering Portal i.e. <https://coalindiatenders.nic.in> as mentioned hereunder:

Name of the bidder as per legal status	Type of company	Enrolment should be in the name of
ABC / ABC Enterprise	Individual/Proprietorship	ABC / ABC Enterprise
ABC Construction Ltd.	Partnership Firm	ABC Construction Ltd.

ii. 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 website. Under any circumstances, ECL shall not be liable to the bidders for any direct/indirect loss or damages incurred by them arising out of incorrect use of the e-tender system or internet connectivity failures.

iii. The bidders will have to accept unconditionally the online User Portal Agreement available at <https://coalindiatenders.nic.in> 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 and the agreement.

iv. In the undertaking given by bidder online, there will be provision for penal action, if any information/declaration furnished online by the bidder against eligibility criteria is found to be wrong at any stage, which changes the eligibility status of the bidder.

v. For online submission of tender, the bidders will have to upload "Letter of Bid", all the confirmatory documents along with Price Bid i.e. BOQ as prescribed in the CHECK LIST of NIT in **Cover-I**.

vi. LETTER OF BID (LOB): The format of Letter of Bid (as given in the Tender Documents) will be downloaded by the bidder and will be printed on Bidder's letterhead and the scanned copy of the same will be uploaded during bid submission in cover-I. This will be the covering letter of the bidder for his submitted bid. The content of the "Letter of Bid" uploaded by the bidder must be the same as per the format downloaded from website and it should not contain any other information.

The Letter of Bid (LOB) will be digitally signed by DSC holder submitting bid online and it does not require any physical signature. However, if the Letter of Bid (LOB) bears the physical signature in addition to the digital signature of DSC holder, it will be accepted without questioning the identity of person signing the Letter of Bid.

If there is any change in the contents of Letter of Bid uploaded by bidder as compared to the format of Letter of Bid uploaded by the department with NIT document, then the bid will be rejected. However inclusion of any additional redundant information by the Bidder in the submitted Letter of Bid (LOB), which does not contradict the content and spirit of original format of LOB uploaded by department will not be a cause of rejection of his/her bid.

vii. PRICE BID: 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 the rates for all items on this Excel file. Thereafter, the bidder will upload the same Excel file during bid submission in Cover-I. The Price-bid will be in **Discount Bid BOQ** format and the bidder will have to quote for all the tendered items and the L-1 will be decided on overall quoted value (i.e. Cost to company).

NOTE 1: The rates quoted by bidder shall be inclusive of all Taxes, if any applicable, but excluding Goods & Service Tax (GST) & GST Compensation Cess.

NOTE 2: The bidder is required to write their name in BOQ in line with the name of the bidder/company as registered/enrolled at CIL's e-Tendering Portal i.e. <https://coalindiatenders.nic.in>.

The system will compute the amount of GST and GST Compensation Cess (if applicable), as per predefined logic in the BOQ sheet if BOQ with GST format is used. The Price bid file will be digitally signed and uploaded by the bidder in Cover-I.

DECISION OF L1: The L-1 will be decided based on “COST TO COMPANY” in the following manner:

(i). If Input Tax Credit is Available:

COST TO COMPANY = Quoted Price of Bidder excluding (GST* + GST Compensation Cess) (as applicable)

(ii). If Input Tax Credit is Not Available:

COST TO COMPANY = Quoted Price of Bidder excluding GST* and GST Compensation Cess (as applicable) (+) Amount of GST + GST Compensation Cess (as applicable)

NOTE: *GST will be calculated manually and added to L1 value for arriving out CTC of in case BOQ without GST format is used for tendering.

Payment/deposit of GST is the responsibility of the Contractor (Supplier).

NOTE: Payment of GST and GST Compensation Cess (if applicable) would be made to the Contractor only on submission of Bill/Invoice in accordance with the provision of relevant GST Act & Rules and after filing of return online on the GST Portal. Input Tax Credit is to be availed by ECL as per rule.

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.

viii. CONFIRMATORY DOCUMENTS: All the confirmatory documents as enlisted in the **CHECK LIST** of NIT are to be uploaded in **Cover-I** by the bidder while submitting his/her bid.

ix. 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 email 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. This will be specifically mentioned in the NIT. The Tender Status will be in public domain and anyone visiting the site can view it by identifying the tender.

NOTE: All bids are to be submitted **ONLINE only** on the website i.e. <https://coalindiatenders.nic.in>. No bids shall be accepted **OFFLINE**.

10. OPENING OF BID, EVALUATION & AOC

I) OPENING OF BID: Both Technical & Price Bid will be decrypted and opened online by the “Bid Openers” with their Digital Signature Certificates on the prescheduled date & time of Tender Opening.

II) EVALUATION BY EVALUATOR:

- A. After opening of bids, system will provide BOQ Comparative Chart indicating number and name of the bidders along with their bid ranking. On the basis of BOQ Comparative Chart, the documents submitted by L-1 bidder 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. If it confirms as per NIT, then the bidder will be considered eligible for award of Contract.
- B. **CONFIRMATORY DOCUMENTS:** In case the Tender Committee finds that there is some deficiency in uploaded documents by L1 bidder 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 L1 bidder. The L-1 bidder will get this information on their personalized dash board 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 dash board 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 will upload the scanned copy of all those specified documents within the specified period of **7 days asone time opportunity**. No further clarification shall be sought from bidder.
- C. The tender will be evaluated on the basis of documents uploaded by L-1 bidder online. The L-1 bidder is 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.
- D. In case the L-1 bidder submits requisite documents online as per NIT, then the bidder will be considered eligible for award of Contract.
- E. In case the L-1 bidder fails to submit requisite documents online as per NIT or if any of the information/declaration furnished by L-1 bidder online is found to be wrong by Tender Committee during evaluation of scanned documents uploaded by bidder, which changes the eligibility status of the bidder then his **bid shall be rejected and EMD of L-1 bidder will be forfeited**.
- F. In case the L1 bidder is rejected due to noncompliance of confirmatory documents then the L-2 bidder will become L-1 bidder and confirmatory documents of this bidder shall be evaluated by TC and the process shall be followed as mentioned in clause no. A to F above.
- G. The process as mentioned above would be repeated till the work is either awarded or all the eligible bidders are exhausted.
- H. It is responsibility of Bidders to upload legible/clearly readable scanned copy of all the required documents as mentioned above.
- I. The Tender Committee will recommend for award of work to the successful bidder after evaluating the bids based on scanned documents uploaded by L-1 bidder and after evaluation of the reasonableness of L-1 rates subject to fulfillment of clause No. 11(i) to 11(iv).
- i. As per PPP 2012, 25% of the tendered work/item will be awarded to MSE. If 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.

III) AWARD OF CONTRACT (AOC): After competent approval and financial concurrence of TCR, the work order to the L-1 bidder will be issued and the scanned copy of the Work Order will be uploaded on the e-Procurement portal and simultaneously the original copy will be sent to the bidder through registered/speed post.

12. CHECK LIST of Documents (To be uploaded by all the Bidders):

Sl. No.	EligibilityCriteria	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.
1.	WORK EXPERIENCE	Bidders are required to submit Work Experience Certificate issued by the employer against the experience of similar work containing all the information as sought on-line. Bidder should also submit Work order, BOQ and/or TDS along with the bid.
2.	FLEET REQUIREMENT	The bidder is required to give an undertaking in the form of an Affidavit duly notarized by Notary Public as per the prescribed format to deploy matching equipment / tipping trucks / Pay Loaders etc. as per discount bid either owned or hired / partially both.
3.	BID SECURITY DECLARATION	As per bid document
4.	VALID PERMENANT ACCOUNT NUMBER (PAN)	PAN card issued by Income Tax department, Govt. of India. In case of JV / Consortium, PAN card for each Indian partner of JV / Consortium and verifiable Tax Residency Certificate of respective country for each foreign partner of JV / Consortium

		itself) <i>If a bidder participates as Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them</i>
5.	GOODS & SERVICES TAX (GST) REGISTRATION	<p>The bidder should be either GST Registered Bidder under regular scheme</p> <p style="text-align: center;">OR</p> <p>GST Registered Bidder under composition scheme</p> <p style="text-align: center;">OR</p> <p>GST unregistered Bidder</p> <p>Document: A Certificate from a practicing Chartered Accountant having membership number with institute of Chartered Accountants of India certifying that the bidder is GST unregistered bidder/dealer in compliance with the relevant GST rules of India.</p> <p>[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>If a bidder participates as Joint Venture (JV), the benefits as per Public Procurement Policy for MSEs Order-2012 shall not be applicable for them</i></p> <p>Note: If turnover of bidder exceeds exemption /threshold limit, the bidder must have GST registration as per GST Act and rules.</p>
6.	LEGAL STATUS OF THE BIDDER	<p><u>Any one of the following document:</u></p> <p>i. Affidavit or any other document to prove proprietorship/individual status of bidder.</p> <p>ii. Partnership deed containing name of partners.</p> <p>iii. Memorandum & Article of Association with certificate of incorporation containing name of bidder.</p>
7.	MSE REGISTRATION CERTIFICATE AND SC/ST CERTIFICATE	<p>i. The MSEs are required to submit copy of documentary evidence, issued by their registering authority i.e. 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) 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.</p> <p>ii. In case of SC/ST owned MSE, an additional document of SC/ST certificate issued by District Authority must be submitted by the bidder in addition to MSE registration certificate</p>

		NOTE: Other bidders are required to upload declaration on letter head stating that they do not belong to MSE category.
8.	DSC AUTHORISATION	<p>i. Own DSC: If the bidder himself is the valid DSC holder bidding online then self-declaration as per the <i>DSC Authorization format</i>.</p> <p>ii. Other DSC: If the valid DSC holder is bidding online on behalf of the bidder then the Power of Attorney as per the <i>DSC Authorization format</i> or any sort of legally acceptable document for the authority to bid on behalf of the bidder.</p>
9.	CONSENT REGARDING ARBITRATION	<p>Written Consent regarding Arbitration on his/her/their Letter Head as per format provided in the bid document.</p> <p>Note:</p> <p>a. In case of Proprietorship firm or Limited Company, this document is digitally signed by the DSC holder authorized by the bidder in case of Proprietorship or Director(s) Managing Director of Limited Company in case of Limited Company. Hence no physical signature is required.</p> <p>b. In case of Partnership firm/Joint Venture (JV), this document is to be signed by all the partners of the partnership firm/Joint Venture (JV).</p>
10.	LETTER OF BID (LOB)	Letter of Bid on the bidder's letter head, in the prescribed format.
11.	UNDERTAKING	An undertaking regarding genuineness of the information furnished by him online and authenticity of the scanned copy of documents uploaded by him online in support of his eligibility, as per the format given in the Tender Documents.
12.	Any other document to support the qualification information as submitted by bidder online.	
NOTE: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/ other relevant documents to support eligibility criteria may also be attached by the bidder in the same file.		

NOTE: The Tender Committee will make its recommendations based on the scanned copy of documents uploaded online by L-1 bidder and the TCR will go through all stages of processing but before approval of Tender Accepting Authority the receipt of **original Affidavit** shall be ensured.

13. One Bid per Bidder:

13.1 Each Bidder shall submit only one Bid, either individually, or as a proprietor, or as a partner in a partnership firm or as a partner in a joint venture or as a Company registered under Companies Act. A Bidder who submits or participates in more than one Bid (other than as a sub-contractor or in cases of alternatives that have been permitted or requested) will cause all the proposals with the Bidder's participation to be disqualified.

13.2 Conflict of Interest.

A Bidder may be considered to have a Conflict of Interest with one or more parties in this bidding process, if:

- a) they have controlling partner(s) in common; or
 - b) they receive or have received any direct or indirect subsidy/financial stake from any of them;
or
 - c) they have the same legal representative/agent for purposes of this bid; or
 - d) they have relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the bid of another Bidder;
or
 - e) a Bidder or any of its affiliate participated as a consultant in the preparation of the design or technical specification of the contract that is the subject of the bid; or
 - f) in case of a holding company having more than one Subsidiary/Sister Concern having common business ownership/management only one of them can bid. Bidders must proactively declare such sister/common business/management in same/similar line of Business;
- all such Bidders having a Conflict of Interest, shall be disqualified.

14. All Duties taxes and other levies, payable by the contractor (Excluding GST and GST Compensation Cess (if applicable)) under the contract or for any other cause as applicable on the last date of submission of tender shall be included in the rates, prices and the total bid price submitted by the bidder. All incidentals, overheads etc. as may be attendant upon execution and completion of works shall also be included in the rates, prices and total bid price submitted by the bidder.

However, such duties, taxes, levies etc. which is notified after the last date of submission of tender and / or any increase over the rate existing on the last date of submission of tender shall be reimbursed by the company on production of documentary evidence in support of payment actually made to the concerned authorities.

The company reserves the right to deduct/withhold any amount towards taxes, levies, etc. and to deal with such amount in terms of the provisions of the Statute or in terms of the direction of any statutory authority and the company shall only provide with certificate towards such deduction and shall not be responsible for any reason whatsoever.

15. Cost of Bidding: The bidder shall bear all costs associated with the preparation and submission of his bid and the Employer will in no case be responsible and liable for those costs.

16. The Tenderer shall closely study all specifications in detail, which govern the rates for which he is tendering.

17. Currencies of Bid and Payment: The unit rates and prices shall be quoted by the Bidder entirely in **Indian Rupees (INR)** only.

18. Commencement of Work: The work shall be deemed to have commenced on the expiry of 10 (ten) days from the submission of Performance Security, the work shall be deemed to have commenced on the expiry of 10 (ten) days from the submission of Performance Security. Additionally, the company shall debar such defaulting

contractor from participating in future tenders in ECL for a period of minimum 1 (one) year from the date of issue of such letter. In case of Partnership firm, the debarment shall also be applicable to all individual partners of Partnership firm.

19. Cancellation of LOA/Work Order:In case the successful bidder fails to submit the Performance Security, within the stipulated time then the award of work shall be cancelled with forfeiture of the bid security/earnest money. Additionally, the company shall debar such defaulting contractor from participating in future tenders in ECL for a period of minimum 1 (one) year from the date of issue of such letter. In case of Partnership firm, the debarment shall also be applicable to all individual partners of Partnership firm.

20. Penal Action:In case the successful bidder fails to submit the Performance Security within the stipulated time then the award of work shall be cancelled with forfeiture of the bid security/earnest money.

Additionally, the company shall debar such defaulting contractor from participating in future tenders in concerned Subsidiary/CIL HQ for a period of minimum one year from the date of issue of such letter.

In case of Partnership firm, the debarment shall also be applicable to all individual partners of Partnership firm.

21. Banning of business:Banning shall be done as per Guidelines for Banning of Business issued by company and available at Manuals section of www.coalindia.in.

22. The Tenderer(s) will deploy sufficient number and size of equipment/machineries/vehicles and the technical/ supervisory personnel required for execution of the work.

23. Change in Constitution of the Contracting Agency: Prior approval in writing of the company shall be obtained before any change is made in the constitution of the contracting agency, otherwise it will be treated as a breach of Contract.

24. Canvassing in connection with the tenders in any shape or form is strictly prohibited and tenders submitted by such tenderers who resort to canvassing shall be liable for rejection.

25. NOTIFICATION OF AWARD AND SIGNING OF AGREEMENT:

The Bidder, whose Bid has been accepted, will be notified /communicated by the Employer electronically online on the e-procurement portal of CIL prior to expiration of the Bid validity period. This letter (hereinafter and in the Conditions of Contract called the "Letter of Acceptance") will state the sum that the Employer will pay the Contractor in consideration of the execution and completion of the Works by the Contractor as prescribed by the Contract (hereinafter and in the Contract called "the Contract Price"). The offline communication of LOA shall not be mandatory.

The notification of LOA (Letter of Acceptance) will constitute the formation of the Contract.

The work order shall be issued by GM (Area) after submission of Performance Security by the contractor as per schedule with following details: -

- a. Time schedule for Execution of Formal written Agreement.
- b. Any other salient detail as per standard format (to be decided by Company)

The Agreement will incorporate all agreements between the Employer and the successful Bidder and shall be executed within 14 days of confirmation of Performance Security submitted by the contractor as per contract conditions.

In case of failure to enter in to agreement within specified period the contract will be terminated in accordance to clause 9 of conditions of contract (GTC).

No payment for the work shall be made before execution of this agreement.

In the bidding process, the cause of rejection of bid of any bidder shall be intimated to non-qualified bidder online.

The contractor shall enter into and execute contract agreement in the prescribed form on non-judicial stamp paper in accordance with the relevant law of the State/Union of India. The cost of the stamp papers for the contract agreement shall be borne by the contractor. Two sets of contract document/agreements shall be prepared and signed by both the parties One of the sets shall be stamped "Original" and the other "Duplicate". The duplicate copy and one additional copy will be supplied to the contractor free of cost and the original is to be retained by the company. For any additional copy, additional cost to be charged.

All additional copies should be certified by the Engineer-in-Charge.

26. Bid Validity: The validity period of the tenders shall be **120** (One Hundred and Twenty)**days** from the end date of bid submission.

In exceptional circumstances, prior to expiry of the original time limit, the Employer may request the bidders to extend the period of validity for a specified additional period. The employer's request and the bidder's responses shall be made in writing. A bidder may refuse the request without forfeiting his bid security. A bidder agreeing to the request will not be required or permitted to modify his bid.

The Tenderer shall not, during the said period or within the period extended by mutual consent, revoke or cancel his tender or alter the tender or any terms/conditions thereof without consent in writing of the company. In case the tenderer violates to abide by this, the Company will be entitled to take action as per clause of Modification and Withdrawal of Bid.

27. 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. 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 minimum 1 (one) year from participating in tenders in CIL/Subsidiary.
- c. 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.

The above penal action will be dealt & superseded as per Bid Security Declaration (BSD) provided in the tender document.

NOTE:

i). In case of clause (a) & (b) above, a letter will be issued to the bidder by Tender Inviting Authority with the approval of Tender Accepting Authority stating that the EMD of bidder is forfeited, and this bidder is debarred for 1 (one) year (in case of clause-a) OR minimum one (1) year (in case of clause-b) from participating in tenders in CIL/Subsidiary. This letter will be circulated to all Areas of the Subsidiary and the updated list will be maintained by all Tender Inviting Authority/Evaluators.

ii). Penal action against clause (a) & (b) above will be enforced from the date of issue of such order. The standard operating procedure to handle withdrawal of bid after end date of submission shall be as per e-Tendering Guidelines.

28. Bid Extension: If number of bids received online is found to be less than **3 (Three)** on end date of bid submission then the following critical dates of the Tender will be automatically extended for a period of **4 (Four) days** ending at 17.00 hrs:

i) Last date of submission of Bid.

ii) Date of opening of Tender.

NOTE 1: After extension, the tender shall be opened irrespective of available number of bids on the extended date of opening of tender. There will be no further auto extension by the system.

NOTE 2: Since the auto extension corrigendum command has runs every 1 hour so the auto extension gets updated after 1 hour on date of extension.

NOTE 3: The Corrigendum Notice (if any) will be published in **CIL e-Tendering portal only** i.e. <https://coalindiatenders.nic.in>.

29. 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.

30. The Company reserves its right to allow Public Enterprises purchase preference facility as admissible under prevailing policy.

31. This Tender Notice shall be deemed to be part of the Contract Agreement.

32. No subletting of work as a whole by the contractor is permissible. Subletting of work in piece rated jobs is permissible with the prior approval of the department.

33. The quoted rate should be inclusive of all charges, on account of octroi, terminal and other duties, etc. **(excluding GST and GST Compensation Cess (if applicable)).**

34. The other terms and conditions of NIT **not covered** under this document will be as per the Contract Management Manual (CMM) of CIL, applicable Schedule of Rates (SOR) of ECL and “Guidelines for e-Procurement of Works and Services” in CIL and subsequent amendments thereafter, which may be seen on www.coalindia.in and www.easterncoal.nic.in.
35. The Tenderer shall have to ensure implementation of CMPF/EPF, in respect of the workers deployed by him as detailed in the tender document.
36. Payment of wages including **CMPF/EPF, ESI** etc. to workmen as per relevant provision of bid document has to be made through Nationalized Bank only. The **GST** will be applicable as per exten rule.
37. **Biometric Attendance System:** The contractor should get the attendance of their employee booked in their own installed biometric attendance system for transparency and accountability
38. The contractor will upload the details in respect of contractors’ Labour employed by him in Contract Labour Payment Management Portal of CIL for the contract issued for the said work within 15 days of starting of work and will update the same as and when required.
39. The Company does not bind itself to accept the lowest tender and reserve the right to reject any or all the tenders without assigning any reasons whatsoever and to split up the work between two or more tenderers or accept the tender in part and not in its entirety.
40. Matters relating to any dispute or difference arising out of this tender and subsequent contract awarded based on this tender shall be subject to the provisions laid down in clause No. 13 & 13A of General Terms and Conditions.
41. If ECL fails to claim Input Tax Credit on eligible input Services or the Input Tax Credit claimed is disallowed due to the failure on the part of the supplier of services in incorporating the tax invoices issued to ECL in its relevant returns under relevant GST laws, payment of CGST & SGST or IGST, GST Compensation Cess wherever applicable as shown in tax invoices to the tax authorities, issue of proper Tax Invoice or any other reason whatever, the applicable taxes and Cess paid based on such Tax Invoices shall be recovered from the current bills or any other dues of supplier.
42. If the Tax Invoice submitted by the supplier is found defective causing disallowance of Input Tax Credit (Claimed on the basis of Such Invoice) by the tax authorities. The applicable taxes & cess paid based on such Tax Invoices & Interest/ penalty (if charged by tax authorities) shall be recovered from current bills or any other dues of the supplier.
43. **Ex-Gratia (Applicable for Mining Activities only):** Contractor is required to obtain group personal accident insurance to cover Ex-gratia payment of **15 Lakhs** in case of death contractors’ workers in fatal mine accidents as certified by DGMS during the contract period and the liability solely will rest with the contractor. **(Refer GTC for further details).**
NOTE: Mining Activities (as defined under section 2(h), (j) & (k) of the Mines Act-1952) including washery, CHP and Railway siding.
44. **e-Way Bill:** The e-way bill required in connection with supply of goods or services, if any, shall be arranged by the supplier/vendor. However, the e-way bill will be arranged by CIL/Subsidiary if the supplier/vendor is unregistered one or if provisions of the relevant Act and the rules made there under specifically states that the e-way bill is required to be issued by recipient of goods.
45. **Site Visit:** The Bidder, at the Bidder’s own responsibility, cost and risk, is encouraged to visit

and examine the Site of works and its surroundings and obtain all information that may be necessary for preparing the Bid and entering into a contract for execution of the works. The cost of visiting the Site shall be at the Bidder's own expense.

46. The acceptance of Bank Guarantee (BG) will be through Structured Financial Messaging System (SFMS) only. Details of SFMS system are given in General Terms and Conditions (GTC).
47. Remaining details may be obtained from other Terms and Conditions (General Terms & Conditions, Other Terms & Conditions, Special Terms & Conditions as applicable).
48. Contractors are to employ, to the extent possible (as per policy decision of the company valid from time to time), local project affected people and pay wages not less than the wages fixed (notified and prevalent during submission of the bid for mining activity) by the Company.
49. **Help for participating in e-Tender**
The detailed method for participating in the e-Procurement is available on links "Help for Contractor" and "Bidders Manual Kit" in CIL's e-Procurement portal. The bidders may also seek help from the following:

Type of Support	Contact Persons	Contact Numbers
Tender Inviting Authority (TIA)/Representative of TIA <i>(For Tender Related Assistance)</i>	B.P.Gupta AlokSaha	9434796687 9434797000
NIC Support Team <i>(For Portal Related Assistance)</i>	Customer Care 24X7 Toll Free	0120-4001 002 0120-4200 462 0120-4001 005 0120-6277 787 e-Mail: support-eproc@nic.in
ECL FMP Helpdesk <i>(For Technical Assistance)</i>	1) Mr. RajibSrimany	8695467690
	2) Mr. SayedMarufAhamadKirmani	7278770599

-Sd-
General Manager
Satgram Area, ECL

Distribution

1. GM/TStoCMD, ECLHQ, Sanctoria.
2. DT (OP)/DT(P&P)/D(F), ECLHQ, Sanctoria.
3. CVO, ECLHQ, Sanctoria.
4. GM, (CMC), ECLHQ, Sanctoria.
5. GMS/GMsofalltheareasofECL.
6. Ch. Manager (PR), ECL / HQ – With the request to arrange for uploading of NIT in websites as per norms of company at the earliest
7. Asansol/Raniganj/Durgapur Transporter Association.
8. AGM/AFM/ AM(PC&D)/Area Survey Officer, Satgram Area.
9. NoticeBoard

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