



सीएमपीडीआई
cmpdi

A Mini Ratna Company

The information given in this document is not to be communicated either directly or indirectly to the press or to any person not holding any official position in CIL/ Government.

TENDER NOTICE FOR

Hiring of 1 no vehicle (with minimum seating capacity of 9) with hard top covered body (Mahindra Bolero, Tata Sumo, Mahindra Scorpio or equivalent) for School and Hospital duties at CMPDI Exploration camp, Talcher for a period of 2 years.



June, 2015

CENTRAL MINE PLANNING AND DESIGN INSTITUTE LIMITED

(A subsidiary of Coal India Limited)

REGIONAL INSTITUTE – VII

BHUBANESWAR (ODISHA) - 751 001

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SECTION-1

TENDER NOTICE



cmpdi
A Mini-Ratna Company

सेन्ट्रल माईन प्लानिंग एण्ड डिजाइन इन्सटीच्यूट लिमिटेड
(कोल इण्डिया लिमिटेड की अनुषंगी कम्पनी / भारत सरकार का एक लोक उपक्रम)
क्षेत्रीय संस्थान – 7, गृह निर्माण भवन, सचिवालय मार्ग, भुवनेश्वर, (उड़िसा)
Central Mine Planning & Design Institute Limited
(A Subsidiary of Coal India Limited / Govt. of India Public Sector Undertaking)
Regional Institute VII, Gruha Nirman Bhavan, Sachivalaya Marg, Bhubaneswar 751001 (Orissa)
CORPORATE IDENTITY NUMBER - U14292JH197560I001223

NIT No: CMPDI/RI-VII/DG/Hired Vehicle/School/TAL/e-T/2015/2185

Dtd: 29.05.2015

e-TENDER NOTICE

1. Tenders are invited on-line on the website <http://mcltenders.gov.in> from the 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 following work:

Name of work	Estimated Cost of Work (In Rs.)	Earnest Money (In Rs.)	Application fee (In Rs.)	Period of Completion
Hiring of 1 no vehicle (with minimum seating capacity of 9) with hard top covered body (Mahindra Bolero, Tata Sumo, Mahindra Scorpio or equivalent) for School and Hospital duties at CMPDI Exploration camp, Talcher for a period of 2 years.	3,16,000 /-	3,200 /-	Nil	02 (Two) Years

2. **Time Schedule of Tender :**

Sl. No.	Particulars	Date	Time
a.	Tender e-Publication date	02.06.2015	11.00 Hours
b.	Document download start date	02.06.2015	15.00 Hours
c.	Document download end date	09.06.2015	17.00 Hours
d.	Bid Submission start date	02.06.2015	15.00 Hours
e.	Bid submission end date	09.06.2015	17.00 Hours
f.	Start date for seeking Clarification on-line	02.06.2015	15.00 Hours
g.	Last date for seeking Clarification on-line	06.06.2015	17.00 Hours
h.	Date of Pre-bid Meeting	NA	NA
i.	Last date of receipt of EMD	12.06.2015	17.00 Hours
j.	Technical Bid Opening date	15.06.2015	11.00 Hours

For details of qualification requirements, bid security and complete tender document, visit our website www.cmpdi.co.in. Or www.tenders.gov.in Detailed tender notice is available at <https://mcltenders.gov.in>

NOTE: End user portal agreement of MCL is applicable for CMPDI also

3. **DEPOSIT OF EMD:**

Earnest Money can be deposited in the form of Demand Draft (DD) from any scheduled Bank drawn in favor of “**CMPDIL, Regional Institute - VII, Bhubaneswar**” payable at **Bhubaneswar**.

The bidder has to furnish the DD Number, date of issue, expiry date, amount and name of issuing bank, while submitting the tender on-line. The bidder has to deposit the original DD in person or by postal means, which must be received in the office of the Head of Dept. (Exploration), Central Mine Planning & Design Institute Limited, **Regional Institute - VII, Bhubaneswar, Odisha-751001, INDIA** on any working day after e-publication of this NIT and up to three working days after the last date of submission of bid.

The Company shall not be responsible for any postal delay in receipt of “EMD”. In case the “EMD” are not received within the specified period, the bid will be out rightly rejected and the bidder will be debarred for 6 (six) months from participating in tenders in CMPDIL. This penal action will be enforced from the date of issue of such order. In case of discrepancy between the on-line submitted information regarding the instruments for EMD and the original instrument being submitted by the Bidders, the latter shall prevail if the instrument is valid on the date of submission of the Tender by the Bidder and if it does not change the eligibility status of the Bidder.

The bidders have to accept the on-line user portal agreement which contains the acceptance of all the Terms and Conditions of NIT and tender document, undertakings and the e-Procurement system through <https://mcltenders.gov.in> in order to become an eligible bidder. This will be a part of the agreement.

4. **CLARIFICATION OF BID:** The bidder may seek clarification on-line within the specified period. However, the management will clarify as far as possible the relevant queries.
5. **Availability of tender documents:** Detailed tender notice & Tender documents including terms and conditions of works shall be available on e-tendering portal <https://mcltenders.gov.in> and Tender Notice shall be available at websites www.cmpdi.co.in, or www.tenders.gov.in
6. **ELIGIBLE BIDDERS:** The invitation for bid is open to all bidders including an individual, proprietorship firm, partnership firm, company or a Joint Venture having eligibility to participate as per eligibility criteria stipulated in clause No.8 of NIT and 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.**

Note: Joint Venture: Two or three companies/contractors may participate in the tender as Joint Venture (JV). Joint Ventures must comply the following requirements:

- i. The minimum qualification requirements for Joint Ventures: The qualifying criteria parameters e.g. experience, financial resources etc. of the individual partners of the J.V. will be added together and the total criteria should not be less than as spelt out in qualification criteria
- ii. The formation of Joint Venture or change in the Joint Venture character/partners after submission of the bid and any change in the bidding regarding Joint Venture will not be permitted
- iii. Joint Venture Agreement should legally bind all partners jointly and severally.
- iv. The pre-qualification of a joint venture does not necessarily pre-qualify any of its partners individually or as a partner in any other joint venture or association. In case of dissolution of a

joint venture, each one of the constituent firms may pre-qualify if they meet all the pre-qualification requirements, subject to written approval of the employer.

- v. The JV Agreement must include the relationship between joint venture partners in the form of JV Agreement to legally bind all partners jointly and severally for the proposed agreement which should set out the principles for the constitution, operation, responsibilities regarding work and financial arrangements, participation (percentage share in the total) and liabilities (joint and several) in respect of each and all of the firms in the joint venture. Such JV Agreement must evidence the commitment of the parties to bid for the facilities applied for (if pre-qualified) and to execute the contract for the facilities if their bid is successful.
- vi. One of the partners responsible for performing a key component of the contract shall be designated as Lead Partner. This authorization shall be evidenced by a Power of Attorney signed by legally authorized signatories of all the partners.
- vii. The JV Agreement must provide that the Lead Partner shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the Joint Venture and the entire execution of the contract shall be done with active participation of the Lead Partner.
- viii. The contract agreement should be signed jointly by each Joint Venture Partners.
- ix. An entity can be a partner in only one Joint Venture. Bid submitted by Joint Ventures including the same entity as partner will be rejected.
- x. The J.V. agreement may specify the share of each individual partner for the purpose of execution of this contract. This is required only for the sole purpose of apportioning the value of the contract to that extent to individual partner for subsequent submission in other bids if he intends to do so for the purpose of the qualification in that tender.

7. **ELIGIBILITY CRITERIA:**

A. Working Capital: Evidence of possessing adequate working capital of at least 20% of the estimated value of this work. **The bidder should possess the working capital within three months prior to the date of opening of tender.**

Data to be furnished by Bidder on-line:

- i. Amount of available working capital inclusive of lines of credit and availability of other financial resources
- ii. Date on which the bidder possesses the required working capital
- iii. Name of the Chartered Accountant (CA)
- iv. Membership Number of CA who certifies the bidder's working capital on a particular date.
- v. Date of Issue of Certificate

B. The Bidder should either be a Travel Agency or Owner of the Vehicle/s. The eligibility criteria for both class of bidders shall be as under :

Travel Agency: In case the bidder is a Travel Agency, they should be registered for Service Tax under “Rent-A-Cab Scheme Operator’s Service” issued by appropriate authority, Govt. of India. The bidder should either own or have a hiring agreement with the owners of vehicles which are offered to be engaged.

OR

Owner of Vehicle: In case the bidder is not a Travel Agency, he should be the Owner of the vehicle/s registered under commercial category. The bidder should be either registered for Service

Tax under “Rent-A-Cab Scheme Operator’s Service” OR should have exemption from Service Tax Registration and/or payment of service tax as per service tax rules. This has to be submitted in the form of certificate from a practicing Chartered Accountant that the bidder is exempted for Service Tax Registration and/or payment of Service tax.

The age of the vehicle/s (from the first date of registration) as on the last date of Bid submission shall be as given below:

S.No	Type of Vehicle	Maximum age of Vehicle, as on the last date of Bid Submission (to be counted from the first date of registration)
1	Mahindra Bolero/Tata Sumo/ Mahindra Scorpio or equivalent with minimum seating capacity of 9 (Nine) and hard top covered body	05 (Five) Years

Note:

1. The bidder should comply the above eligibility requirement on the date of submission of tender.
2. However, after becoming L-1 and submission of confirmatory documents online, the bidder may request offline for change of vehicles to be deployed by him at any time at his option as follows:
 - a. In case the bidder is a Travel Agency: the bidder may deploy any other vehicle/s of same class owned by him subsequently or hired subsequently through an hiring agreement, of the same or lower age than the originally offered vehicle/s
 - b. In case the bidder is Owner of Vehicle : the bidder may deploy any other vehicle/s of same class owned by him subsequently of the same or lower age than the originally offered vehicle/s

Moreover, such requests will be considered by the department on the merit of the individual case. In case, the request for change of vehicle/s is not accepted by the department then the bidder has to deploy the originally offered vehicle/s.

In respect of the above eligibility criteria the bidders are required to furnish the following information on-line:

- i) Confirmation in the form of **Yes/No** regarding the status of the bidder i.e. either a Travel Agency or Owner of the Vehicle/s.

Note: In case the bidder is a Joint Venture, at least one partner of JV should possess Service Tax registration under “Rent –A-Cab Scheme operator’s Service”

C. Permanent Account Number (PAN): The bidder should possess Permanent Account Number (PAN) issued by Income Tax department, Govt. of India

In respect of the above eligibility criteria the bidders are required to furnish the following information on-line:

- i. Confirmation regarding possessing of Permanent Account Number (PAN) issued by Income Tax department, Govt. of India in the form of **Yes / No**

Note: In case the bidder is a Joint Venture, each individual partner of JV should possess Permanent Account Number (PAN) issued by Income Tax Department, Govt. of India.

- D.** An Affidavit on a non-judicial stamp paper of minimum value of Rs.5/- as per the format given in the bid document at Section – 3

E. Legal Status of the bidder:

Any one of the following document:

1. Affidavit or any other document to prove proprietorship/individual status of the bidder.
2. Partnership deed containing name of partners.
3. Memorandum & Article of Association with certificate of incorporation containing name of bidder
4. Joint Venture agreement containing name of partners and lead partner, Power of Attorney to the Lead Partner and share of each partner.

- F. Digital Signature Certificate (DSC):** If the bidder himself is the DSC holder bidding on-line then no document is required. However, if the DSC holder is bidding online on behalf of the bidder then the Power of Attorney or any sort of legally acceptable document for the authority to bid on behalf of the bidder.

8. SUBMISSION OF BID:

- a) In order to submit the Bid, the bidders have to get themselves registered online on the e-Procurement portal of MCL (<https://mcltenders.gov.in>) with valid Digital Signature Certificate (DSC) issued from any agency authorized by Controller of Certifying Authority (CCA), Govt. of India and which can be traced up to the chain of trust to the Root Certificate of CCA. The online Registration of the Bidders on the portal will be free of cost and one time activity only. If the bidder is an individual person then he should register himself under “Individual” category and if the bidder is a proprietorship firm/partnership firm/Joint Venture/Company then registration should be under “Corporate” category. The registration should be in the name of bidder, whereas DSC holder may be either bidder himself or his duly authorized person.
- b) The bidders have to accept unconditionally the online user portal agreement which contains the acceptance of all the Terms and Conditions of NIT including General and Special Terms & Conditions and other conditions, if any, along with on-line undertaking in support of the authenticity of the declarations regarding the facts, figures, information and documents furnished by the Bidder on-line in order to become an eligible bidder. No conditional bid shall be accepted.

NOTE: End user portal agreement of MCL is applicable for CMPDI also.

- c) **Letter of Bid:** The format of Letter of Bid (as given in the NIT at Section 3) will be downloaded by the bidder and will be printed/typed on Bidder’s letter head 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 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.

- d) Price Bid (Part – II):** The Price Bid containing the Bill of Quantity will be in Excel format and will be downloaded by the bidder and he will quote the rates **for all items (ITEM RATE)** on this Excel file. Thereafter, the bidder will upload the same Excel file during bid submission in cover-II. L-I will be decided on overall quoted value.

The Price-bids of the tenderers will have no condition. The Price Bid which is incomplete and not submitted as per instruction given above (and also online) will be rejected. **Any alteration/modification in the excel format may lead to rejection of the bid.**

Tenderers should quote their rates excluding the impact of Service-Tax. Applicable Service Tax will be dealt as per Service Tax Rule.

9. All bids are to be submitted on-line on the website <http://mcltenders.gov.in>. No bid shall be accepted off-line.
10. 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, CMPDIL 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.
11. After receipt of EMD as stated in clause No.3, the Technical-bid will be decrypted and opened on-line, on the scheduled date and after the pre-scheduled time by the *Bid Openers* with their Digital Signature Certificate (DSC). **The bidders can view bid opening remotely on their personalized dash board under "Bid Opening (Live) Link"**. Thereafter, the Technical-bid shall be evaluated by the system on-line based on the information furnished by bidders on-line in accordance with clause No.8 (Eligibility Criteria). This on-line evaluation will be validated by CMPDIL.
12. After evaluation of Technical-bid, all the bidders will get the information regarding their eligibility on website. Thereafter, a system generated e-mail confirmation will be sent to all successful bidders communicating the date and time of opening of Price-bid i.e. Part - II.
13. The Price-bid of the successful bidders (qualified in Technical-bid) will be decrypted and opened on-line, on the scheduled date and after the pre-scheduled time by the *Bid Openers* with their Digital Signature Certificate (DSC). **The bidders can view bid opening remotely on their personalized dash board under "Bid Opening (Live) Link"**. The bidders will get the information regarding the status of their financial bid and ranking of bidders on website.
14. After opening of Price-bid, the list of documents required to be submitted by L-1 bidder as enlisted below NIT will be specified on-line by Evaluator indicating the start date and end date giving 7 days (7X24 hours) time for on-line submission by 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 e-mail and SMS, but it will be the bidder's responsibility to check the updated status/information on their personalized dash board at least once daily after opening of Price-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 self certified and attested by notary public of all the specified documents in support of the information/declarations furnished by them on-line within the specified period of 7 days. However, the affidavit may be scanned and uploaded as it is, without any additional self-certification and attestation by Notary public.

S.No.	Eligibility Criteria	Scanned copy of documents (Self Certified and attested by notary public) to be uploaded by L-1 bidder in support of information/declaration furnished online by the bidder against Eligibility Criteria (CONFIRMATORY DOCUMENT)
1	Working Capital (Ref. Clause No.7(A) of NIT)	Certificate of Working Capital issued by a Practicing Chartered Accountant having a membership number with Institute of Chartered Accountants of India containing the information as furnished by bidder on- line.
2.	Travel Agency/Owner of Vehicle (Ref. Clause No.7(B) of NIT)	a) If the bidder is Travel Agency : - Service Tax Registration Certificate under “Rent-A-Cab Scheme Operator’s Service” issued by appropriate authority, Govt. of India - RC Books of the Vehicle/s proposed to be deployed for this work. - In case, the Travel Agency is not the owner of the vehicle, then copy of the Hiring Agreement executed with the Owner of the vehicle/s proposed to be deployed for this work. (Hiring agreement should contain the reference of NIT No. & date) b) If the bidder is Owner of the Vehicle/s : - RC Book of the Vehicle/s proposed to be deployed for this work. - Service Tax Registration Certificate under “Rent-A-Cab Scheme Operator’s Service” issued by appropriate authority, Govt. of India, if applicable. In case the owner of the vehicle is small service provider and exempted for Service Tax Registration and/or payment of Service tax, then a certificate from a practicing Chartered Accountant that the bidder is exempted for Service Tax Registration and/or payment of Service tax
3.	Permanent Account Number (Ref. Clause No.7(C) of NIT)	PAN card issued by Income Tax department, Govt. of India (In case of JV, PAN card for each individual partner of JV)
4.	Affidavit (Ref. Clause No. 7(D) of NIT)	An Affidavit on a non-judicial stamp paper of minimum value of Rs.5/- as per the format given in the bid document at Section 3 .
5.	Legal Status of the bidder (Ref. Clause No. 7(E) of NIT)	Any one of the following document : - Affidavit or any other document to prove proprietorship/individual status of the bidder. - Partnership deed containing name of partners. - Memorandum & Article of Association with certificate of incorporation containing name of bidder - Joint Venture agreement containing name of partners and lead partner, Power of Attorney to the Lead Partner and share of each partner.
6.	Digital Signature Certificate (DSC) (Ref. Clause No. 7(F) of NIT)	If the bidder himself is the DSC holder bidding on-line then no document is required. However, if the DSC holder is bidding online on behalf of the bidder then the Power of Attorney or any sort of legally acceptable document for the authority to bid on behalf of the bidder
7.	Any other document to support the qualification information as submitted by bidder on-line	

Note: Only one file in .pdf format can be uploaded against each eligibility criteria. Any additional/other relevant documents to support the information/declaration furnished by bidder online against eligibility criteria may also be attached by the bidder in the same file to be uploaded against respective eligibility criteria.

The Tender Committee will examine the uploaded documents against information/declarations furnished by the L-1 bidder online. If it conforms to all of the information/declarations furnished by the bidder online and does not change the eligibility status of the bidder then the bidder will be considered eligible for award of Contract.

In case the Tender Committee finds that there is some deficiency in uploaded documents or documents have not been uploaded by L-1 bidder within the stipulated period then the same will be specified online by Tender Committee clearly indicating the omissions/shortcomings in the uploaded documents and indicating start date and end date giving 7 days (7X24 hours) time for online re-submission by L-1 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 e-mail and SMS, but it will be the bidder's responsibility to check the updated status/information on their personalized dash board at least once daily after opening of Price-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 self certified and attested by notary public of those specified documents within the specified period of 7 days.

No additional time will be allowed to the bidder for on-line submission of documents

The tender will be evaluated only 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.

- a. In case the L-1 bidder submits requisite documents online as per NIT, then the bidder will be considered eligible for award of Contract.
- b. 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 (for the first time), then the EMD of L-1 bidder will be forfeited and re-tender will be done (with the same or different quantity, as per instant requirement). In this re-tender, offer from this bidder will not be accepted.

The Penal action of debarring the bidder in Re-tender will be restricted to first Re-tender only. If Re-tender is not finalized and there is second time Re-tender, then this penal action will not be applicable.

- c. If the L-1 bidder fails to submit the 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, in two tenders, floated by the same tender inviting authority, within a span of one year (to be counted with respect to date of e-publication of NIT), then the EMD of L-1 bidder will be forfeited and this bidder will be debarred for one year from participating in tenders in CMPDIL and re-tender will be done.
- d. It is responsibility of L-1 Bidder to upload legible / clearly readable scanned copy of all the required documents as mentioned above.

{The Penal action against clause (b) and (c) above will be enforced from the date of issue of such order}.

15. **Validity of Offer:** The rates offered by the bidder shall be valid for 120 (One Hundred Twenty) days from the date of opening of technical bid.

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 but will be required to extend the validity of his bid security/EMD (if submitted in the form of BG) for a period of 28 days beyond the extended validity of the 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 No.28 (Modification and Withdrawal of Bid) of NIT.

16. **One Bid per Bidder:** Each Bidder shall submit only one Bid, either individually, or as a partner in a partnership firm or a partner in a Joint Venture or a public limited firm. 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.

17. **Refund of EMD:** The Earnest Money will be retained in the case of successful tenderer and refunded to the unsuccessful tenderer in due course and will not carry any interest. The unsuccessful bidder for this purpose means the bidders who have not qualified for opening of Price-bid and those who have not emerged as L-1 tenderer after opening of Price-bid. The Earnest Money deposited by the L-1 bidder in the form of DD shall be adjusted against Performance Security Deposit (PSD). The EMD deposited by the L-1 bidder in the form of Bank Guarantee (BG) will be discharged when the bidder has furnished the required PSD and signed the agreement.

18. The rate quoted should be per vehicle per day of engagement and it should be inclusive of all taxes (Excluding Service Tax), all incidentals, overheads etc. and insurance under motor vehicle act. The toll taxes and parking charges, if any, will be reimbursed on production of receipts duly certified by the user of the vehicle. HSD @ 1 liter per 10 km run and mobile oil @ 1 liter per 500 km run only will be supplied by the OIC of CMPDI Exploration Camp.

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

19. **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.
20. **Currencies of Bid and Payment:** The unit rates and prices shall be quoted by the Bidder entirely in Indian Rupees only.
21. The date of commencement of work shall be reckoned from the 10th day of issue of Work Order/ LOA (Letter of Acceptance) or actual date of commencement, whichever is earlier.

22. The contractor will ensure timely deployment of vehicles and drivers strictly as per the instructions of user of the vehicle during the entire contract period
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 tenderer who resort to canvassing shall be liable for rejection.
25. The Bidder, whose Bid has been accepted, will be notified of the award on-line and also by registered post by the employer prior to expiration of the bid validity period. The successful bidder/s will get the information regarding award of work on their personalized dash-board on-line. On receipt of Letter for Acceptance (LOA) / Work Order of the tender issued by the Company, the successful tenderer shall execute contract agreement (for contract value more than Rs.5.00 lakh) in the company's prescribed form (as per Section 3) for the due fulfillment of the contract.

Performance Security Deposit (PSD) must be submitted by the contractor within 28 days of receipt of LOA / work order, failing which the award of work will be cancelled with forfeited of EMD. The agreement should be executed after receipt of PSD from the contractor. In case the PSD is submitted in the form of Bank Guarantee (BG) and needs verification from the issuing bank, then agreement should be executed after verification of BG. The written contract to be entered into between the contractor and the company, shall be the foundation of the rights of both the parties and the contract shall not be deemed to be executed until the contract is signed by both the parties i.e. Contractor and the Company.

26. 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 on-line within the end date of bid submission and their EMD will be refunded. However, if the bidder withdraws his bid, he will not be able to resubmit the bid in this 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 6 months from participating in tenders in CMPDIL. The Price-bid of remaining bidders will be opened and the tender process shall go on.
- b) If the request of withdrawal is received after online notification for opening of price bid, the EMD will be forfeited and the bidder will be debarred for 1 one year from participating in tenders in CMPDIL. 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-tendering will be done.

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

27. 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.
28. The Company reserves its right to allow Public Enterprises purchase preference facility as admissible under prevailing policy.
29. This Tender Notice shall be deemed to be part of the Contract Agreement. The “General Terms & Conditions”, Additional Terms & Conditions, Special Terms & Conditions (if any), Technical Specifications, drawings (if any) and any other document uploaded on portal as NIT document forms an integral part of this NIT and shall also form a part of the Contract agreement.
30. If the tenderer in the form and style of JOINT VENTURE is awarded the work, they will have to submit the Service Tax Registration Certificate of the said JOINT VENTURE, issued by Central Excise and Custom Department, Govt. of India, before execution of agreement.
31. The contractor/contractual Agencies must not engage any Child Labour during the course of execution of the contract work within the meaning and scope of the Child Labour Prohibition & Regulation Act-1986 and its relevant Act and Rules amended from time to time by the Govt. of India.
32. The tenderer shall have to ensure implementation of CMPF/EPF, if applicable, in respect of the workers deployed by him as detailed in the tender document.
33. The Company does not bind itself to accept the lowest tender and reserves 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.
34. **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 jurisdiction of District Court, where the subject work is to be executed.**

Sd/-
HOD (Exploration)
CMPDI RI-VII
Bhubaneswar

Note: For other details like General Terms and Conditions, Different formats and for Submission of bid please visit

<http://mcltenders.gov.in>