

**Sub:- Standardization of Pre-Qualifying Requirements of Tenders for procurement of spares/ hiring of services and Standardization of NIT terms & Conditions.**

Following Regulations are hereby inserted/ modified or substituted in the HPGCL Works and Purchase Regulation, 2015 with immediate effect.

Reg. No.	Proposed Regulation
28	<p>The objective for prescribing Standard Pre Qualifying Requirements for the prospective bidders is to ensure quality and reliability of the supplies/ services without inhibiting efficient price discovery through the process of transparent and competitive bidding.</p> <p><b>Standard Pre Qualifying Requirements:</b></p> <p><i>The bidder should be Original Equipment Manufacturer/ Supplier (OEM/OES) or a registered vendor of HPGCL, as per Vendor Registration Policy for the specific category of the work / purchase.</i></p> <p style="text-align: center;"><b>OR</b></p> <p><i>The bidder must have experience of having successfully executed Purchase Order(s) / Work Order(s) in HPGCL / NTPC /any SEBs / any PSUs /any Corporations / Central Govt. / State Govt. / Semi Govt. or in any Thermal/ Hydel Plant and have average annual turnover and other eligibility conditions as given below:</i></p> <p><b><u>Experience of Execution of Purchase Order / Work Order</u></b></p> <p>Bidders must have successfully executed the Purchase Order(s) / Work Order(s) for the same or similar item(s) / work(s) during last 5-years ending last day of the month previous to the month in which applications are invited having minimum order value as under:            Single order of the value not less than Rs.____(80% of the EC) or            Two orders of the value not less than Rs.____ each (50% of the EC) or            Three orders of the value not less than Rs.____ each(40% of the EC).</p> <p>Note:</p> <ol style="list-style-type: none"> <li>In case of ARCs / AMCs of works / supply of more than one year, estimated cost for the purpose of above eligibility criteria shall be taken for first 12-months only. The criteria will not be applicable in case of less than 12 months contract where the minimum value of the order shall be required according to estimated cost of such work.</li> <li>Similarly, if the bidder has a supply/ work order for a period of more than one year, the period and the proportionate value of the order which have been completed prior to the month in which applications are invited (duly supported by successful completion/ execution certificate for the such period/ value) shall be taken into consideration for assessing the eligibility criteria.</li> </ol> <p><b>Turnover</b></p> <p>Bidders must have average annual turnover in last 3 consecutive financial years ended prior to the financial year in which the applications are invited shall not be less than Rs.____ lacs.</p> <p>Note:</p> <ol style="list-style-type: none"> <li>Average Annual Turnover = Sum of the Annual Turn Over (ATO) of preceding 3 years /3 (As per Audited accounts)</li> <li>ATO= ECx12/CP               <p style="margin-left: 40px;">ATO- Annual Turnover</p> <p style="margin-left: 40px;">EC- Estimated Cost</p> <p style="margin-left: 40px;">CP- Job Completion in months(Contract period)</p> </li> <li>Other income shall not be considered for arriving at annual turnover.</li> </ol> <p>Note:</p> <ol style="list-style-type: none"> <li>In case where audited results for the last preceding financial year are not available for determining the average annual turnover, certification of financial statements from a practicing chartered accountant shall be considered acceptable.</li> </ol>

	<p>2. No Qualification of Average Annual Turnover is required in cases where Estimated Cost is of less than Rs. 5 lacs.</p> <p><b>Notes:-</b></p> <p>(i) In addition to the above the bidder must have specific technical qualification such as IS specification, Heat treatment facility, Quality Assurance Plan, testing facility and experience of requisite capacity etc. for the items as specified in Annexure 10A and 10B of the Regulation which should be incorporated in the NIT.</p> <p>(ii) Minimum capacity of Thermal power station/Unit shall be 110 MW or above until and unless higher capacity is desired in view of the nature of work with the approval of Director concerned and may be specified in NIT regarding supply/ work experience of the bidder if required as per the criticality of the item/ work.</p> <p>(iii) In case any addition/ deletion regarding experience criteria from any specific organization is required other than as mentioned above in the interest of HPGCL with the stated reasons then the same can be incorporated in the NIT with the approval of Director concerned while framing the PQR.</p> <p>(iv) In case of service contracts, bidders who have successfully carried out erection, testing &amp; commissioning and have minimum one year experience of Operation &amp; Maintenance in the preceding 5 years of the equipment where the services are required will also be eligible.</p> <p>(v) The tender documents of only those bidders shall be considered who fulfill the eligibility criteria and submit documentary evidences in support of the same along with copy of performance certificate / repeat order from the same organization if any.</p> <p>(vi) Similar work/ item should not mislead with specific or same work / item in general, wherever possible its broader interpretation should be taken to avoid restrictive competition. If considering the criticality of the item/ work, only the same work/ item is required then it should be specifically incorporated with the approval of Director concerned.</p> <p>(vii) The bidders should have testing facilities at its works or the testing will be carried out at any Govt. approved test laboratory acceptable to HPGCL. HPGCL shall notify the list of the acceptable lab.</p> <p><b>Proviso:</b></p> <p>(a) The above Standard Pre Qualifying Criteria shall be uniformly applicable in each case until and unless some specific qualifying criteria has been approved by the competent authority for the same.</p> <p>(b) In case sufficient quotes are not received with the above Standard Qualification Criteria in any specific case despite reasonable corrigendum then the respective Project SPC may review the above qualifying criteria (PQR) as per the merit of the case in the interest of HPGCL with the consent of the concerned Director for particular instance only. If SPC feels that in some specific cases due to the stated reasons it requires some special qualifying criteria permanently then respective Chief Engineer will get the same approved from the BoD.</p>
14.6	<p><b>EARNEST MONEY AND SECURITY DEPOSIT.</b></p> <p>Security deposit in case of purchase orders shall be 2% of the contract value.</p>
15.1 Note 2(ii)	<p><b>TERMS OF PAYMENT</b></p> <p>Procurement of material from Central/ State PSUs except BHEL and other proprietary firms can be agreed on their quoted payment terms i.e. 100% payment against collection of material or dispatch through bank.</p>
36A	<p><b>Eligibility of the black listed firms to participate in NIT:</b></p> <p>The firms who have been blacklisted by HPGCL or any other Centre or State Power Utility/ Board or Corporation/ or any other Thermal/Hydro Elect. project shall not be eligible to bid against the NIT of HPGCL, However;</p> <p>(i) In case the blacklisting of the firm is for a specific plant and not for the organization as a whole then such blacklisting will not tantamount to ineligibility of the bidder.</p> <p>(ii) Blacklisting of the firm by any unit of the HPGCL shall be considered as ineligibility of the firm at any other project of HPGCL.</p>

	<p>(iii) In case any firm was blacklisted for a limited period in past by any organization and presently such blacklisting has removed by such organization then it will not tantamount to ineligibility of the bidder.</p> <p>(iv) Firm has to certify itself for its eligibility with supporting documents to participate in the NIT stating that it has not been blacklisted by any organization presently, however in case at a later stage such certification found wrong then it will lead to misrepresentation of the facts and the firm shall be treated as blacklisted on this ground and action shall be taken as per regulation 36 and 37.</p>
--	---

**(A) Standardised NIT terms and conditions:**

Following modification in the existing NIT terms and conditions are hereby made:

Annx. No.	Proposed Provisions
4	<p><b>Instructions to the bidders</b> of the Works and Purchase Regulation, 2015 Para No. 11(a) w.r.t. (Works Order) and Para No. 12 (a) w.r.t. (Supply order) is replaced in consistent to the Regulation No. 8.7(iii) as under:</p> <p><i>Suo-moto revised price bid/ supplementary Part-II will not be accepted after the last date of submission of the tender. However, in case revised price bid is submitted by the bidder Suo moto but prior to the due date of submission of the tender, then the revised price bid only, shall be opened and considered by the purchasing authority.</i></p>
4	<p><b>Instructions to the bidders (Supply orders) Clause No. 13(ii) and Annexure-6 “General Terms and Conditions of the Contract (Supply orders) Clause No. 4(i)(b)</b> are substituted in consistent with Regulation 9.2(ii) as under:</p> <p><i>Freight @ 4% of the basic rate or the Railway freight on the basis of published goods tariff of Indian Railways or Freight on the basis of publication/ certification of some approved transporter in case of any other mode of transport declared in the NIT, whichever is higher.</i></p>
6	<p><b>General Terms and Conditions of the Contract (Supply orders) Clause No. 6</b> is substituted in consistent with Regulation 15.1 as under:</p> <p>Subject to any deductions which the purchaser may be authorized to make under the contract, payment for the material shall be made as under:</p> <p><i>100% payment shall be made <b>after 21 days</b> of receipt of material at site in good condition and after receipt/ adjusting of 10% Performance Bank Guarantee (if applicable) and on submission of requisite documents as per Purchase Order.</i></p> <p style="text-align: center;">OR</p> <p><i>90% payment against documents through bank <b>after 21 days</b> of receipt of intimation from the bank and after receipt/ adjusting of 10% Performance Bank Guarantee (if applicable) and on submission of requisite documents as per Purchase Order and balance 10% after receipt of material in good condition.</i></p>