

PROCEDURE UNDER E-TENDERING

INSTRUCTIONS TO BIDDER FOR e-TENDERING

(Note: RFP stands modified to the extent required as per these instructions)

Name of Work: Construction of STRR (West side) NH948A Kunigal (Ramanagara Taluk) to S. Mudugadapalli (Hosur Taluk) from Km 79 to km 144.25/144.00 (Design Chainage) Phase-II in Karnataka on HAM (Project Length – 65.25 kms).

Definitions:

- a. **National Informatics Centre (NIC):** A service provider to develop and customize the software and facilitate the process of e-tendering on application service provider model.
- b. <https://etenders.gov.in>: An e-tendering portal of National Highways authority of India (“NHAI”) introduced for the process of e-tendering which can be accessed on <https://etenders.gov.in>.

Words in capital and not defined in this document shall have the same meaning as in the Request for Proposal (“RFP”).

1. Accessing/ Purchasing of BID documents

- (i) It is mandatory for all the bidders to have class-III Digital Signature Certificate (DSC) and encryption Component (in the name of person who will sign the BID) from any of the licensed Certifying Agency (Bidders can see the list of licensed CAs from the link www.cca.gov.in) to participate in e-tendering of National Highways Authority of India, New Delhi.

DSC should be in the name of the authorized signatory as authorized Appendix III of the submitted RFP. It should be in corporate capacity (that is in Bidder capacity / in case of JV in the Lead Member capacity, as applicable). Please ensure the submission of document certifying the class III DSC.
- (ii) The Authorized Signatory holding Power of Attorney (POA) or the person executing/delegating such POA shall only be the Digital Signatory. In other cases, the Bid shall be considered **non-responsive**.
- (iii) To participate in the bidding, it is mandatory for the bidders to get registered their firm / Consortium with e-tendering portal of NHAI <https://etenders.gov.in> to have user ID & password which has to be obtained free of cost.

Following may kindly be noted:

- (a) Registration should be valid at least up to the date of submission of BID.
- (b) BIDs can be submitted only during the validity of their registration with the <https://etenders.gov.in>
- (c) The amendments / clarifications to the BID document, if any, will be hosted on

- the NHAI website (<https://nhai.gov.in>) / NHAI e-tendering portal <https://etenders.gov.in>
- (d) If the firm / Consortium is already registered with e-tendering portal of NHAI, Government of India and validity of registration is not expired the firm / Consortium is not required a fresh registration.
- (iv) The complete BID document can be viewed / downloaded from e-tender portal of NHAI <https://www.nhai.gov.in> or <https://etenders.gov.in> from 07.01.2025 to 27.02.2025 (upto 1100 Hrs. IST).
- (v) To participate in bidding, bidders have to pay a sum of **Rs. 2,80,000/- (Rs. two lakh eighty thousand only)** as a cost of the RFP process (non-refundable) transmitted online.

2. Preparation & Submission of BIDs:

- (i) Detailed tender documents for RFP may be downloaded from e-tender portal of NHAI <https://etenders.gov.in> from 07.01.2025 to 27.02.2025 (up to 1100 Hrs. IST) and tender may be submitted online following the instruction appearing on the screen. A buyer manual containing the detailed guidelines for e-tendering is also available on e- tender portal of NHAI, Government of India.

Bid must be submitted online only through e-procurement portal of NHAI (<https://etenders.gov.in>) using the digital signature of authorized representative of the Bidder on or before 27.02.2025 (upto 1100 hours IST).

- (ii) The following documents shall be prepared and scanned in different files (in PDF or RAR format such that file size is not more than 30 MB) and uploaded during the on-line submission of BID.

A. Only Electronic Form (to be uploaded on the <https://etenders.gov.in>) (Refer to Clause 2.11.1 of the RFP)

I. Technical Bid

- (a) Appendix IA (Letter comprising the Technical Bid) including Annexure-I to VI and supporting certificates / documents. However, those Bidders, whose RFAQ eligibility limit assessed by NHAI is not less than the estimated cost of the Project, are not required to submit Annexure II to IV of Appendix-IA. If RFAQ results are not valid on the deadline for submission of the bids, then they have to submit Annexure II to IV of Appendix-IA also;
- (b) Power of Attorney for signing the BID as per the format at Appendix-III;
- (c) if applicable, Power of Attorney for Lead Member of Consortium as per the format at Appendix-IV
- (d) if applicable, Joint Bidding Agreement for Consortium as per the format at

Appendix-V;

- (e) copy of Memorandum and Articles of Association, if the Applicant is a body corporate, and if a partnership then a copy of its partnership deed;
- (f) Copies of Applicant's duly audited balance sheet and profit and loss statement for preceding 5 years.
- (g) if applicable, Certificate/Copy of RFAQ eligibility limit assessed by NHAI.
- (h) Integrity Pact as per format given in Appendix VI shall be submitted by the Bidder with the RFP Bid duly signed by Authorized signatory & shall be part of the Concession Agreement;
- (i) Copy of BID Security of Rs 27.79 Crores (Rupees twenty seven crore and seventy nine lakh only) in the form of Insurance Surety Bond (issued by Insurance Company authorized by Insurance Regulatory and Development Authority of India in the format at Appendix-VIII), Account Payee Demand Draft, Fixed Deposit Receipt, Banker's Cheque or Bank Guarantee (including E-Bank Guarantee) in the format at Appendix-II from a Scheduled Bank.
- (j) Proof of online payment of Rs. 2,80,000/- (Rupees two lakh eighty thousand only) towards cost of Bid Document transmitted online to NHAI.
- (k) Deleted
- (l) An undertaking from the person having PoA referred to in Sub. Clause-(b) above that they agree and abide by the Bid documents uploaded by NHAI and amendments uploaded, if any.
- (m) Certificate regarding Compliance with Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs) as per format given in Appendix-VII shall be submitted by the Bidder with the RFP Bid duly signed by Authorised signatory & shall be part of the Concession Agreement.
- (n) Copy of Registration from the Competent Authority as defined in Public Procurement Order No. F. No. 6/18/2019-PPD dated 23rd July 2020, if applicable (to be submitted by the "Bidder from a country which shares a land border with India").

FINANCIAL BID

- (o) Appendix-IB (Letter comprising the Financial Bid).

Self-Certification:

Self- certification by the Bidder that its Bid meets the Local Content requirement for ‘Class – I Local supplier’/ ‘Class – II Local supplier’, as the case may be. The Self-certification shall also have details of the location(s) at which the local value addition is made. In case, bidder do not submit the aforesaid Certification, the bidder will be summarily treated as ‘Non Local Supplier’.

In case of procurement for a value in excess of Rs. 10 crores, the ‘Class – I Local supplier’ / ‘Class – II Local supplier’ shall have to provide a Certificate from the Statutory Auditor or Cost Auditor of the Company (in case of Companies) or from a practicing Cost Accountant or practicing Chartered Accountant (in respect of Suppliers other than Companies) giving the percentage of Local Content upon Construction of the Project.

B. Original (in Envelope) and Electronic form (to be uploaded on the <https://etenders.gov.in>) (Refer to Clause 2.11.2 of the RFP).

The Lowest Bidder shall submit the following documents physically before issuance of Letter of Award (LOA) by the Authority:

- (a) Original Power of Attorney for signing the Bid as per the format at Appendix-III;
- (b) If applicable, Original Power of Attorney for Lead Member of Consortium as per the format at Appendix-IV;
- (c) If applicable, Original Joint Bidding Agreement for Consortium as per the format at Appendix-V;
- (d) if applicable, Certificate/Copy of RFAQ eligibility limit assessed by NHAI
- (e) Copy of BID Security of Rs. 27.79 Crores (Rupees twenty seven crore and seventy nine lakh only) in the form of Insurance Surety Bond (issued by Insurance Company authorized by Insurance Regulatory and Development Authority of India in the format at Appendix-VIII), Account Payee Demand Draft, Fixed Deposit Receipt, Banker’s Cheque or Bank Guarantee (including E-Bank Guarantee) in the format at Appendix-II from a Scheduled Bank.
- (f) Deleted.
- (g) Integrity pact on plain paper shall be submitted by the Bidder with the RFP Bid duly signed by Authorized signatory & shall be part of the Concession Agreement;

- (h) Deleted
- (i) An undertaking from the person having PoA referred to in Sub. Clause-(a) above that they agree and abide by the Bid documents uploaded by NHAI and amendments uploaded, if any.
- (j) Original Statement of Legal Capacity as per format at Annexure V to Appendix I.
- (k) Original of experience certificates apostile at foreign origin, if any
- (l) Certificate regarding Compliance with Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs) as per format given in Appendix-VII shall be submitted by the Bidder with the RFP Bid duly signed by Authorised signatory & shall be part of the Concession Agreement.
- (m) Copy of Registration from the Competent Authority as defined in Public Procurement Order No. F. No. 6/18/2019-PPD dated 23rd July 2020, if applicable (to be submitted by the “Bidder from a country which shares a land border with India”).

While submitting Bid Security via Account Payee demand draft or Banker’s cheque, it is to be ensured by the bidder that Account Payee demand draft or Banker’s cheque are submitted physically latest within 5 working days of the Bid Due Date (upto 1100 hours IST) to the following address placed in a sealed envelope and bearing the identification “Construction of STRR (West side) NH948A Kunigal (Ramanagara Taluk) to S. Mudugadapalli (Hosur Taluk) from Km 79 to km 144.25/144.00 (Design Chainage) Phase-II in Karnataka on HAM (Project Length – 65.25 kms).”.

[Address: National Highways Authority of India G-5&6, Sector -10, Dwarka, New Delhi-110075]. Else the bid submitted will be rejected

- (ii) The Lowest Bidder shall submit the original documents specified above in point no. 2 (ii) (B) together with their respective enclosures physically before the issuance of Letter of Award (LOA) by the Authority and seal it in an envelope and mark the envelope as “Bids”. Lowest Bidder (including all its Consortium Members) failing to submit the original documents required as per above shall be unconditionally debarred from bidding in NHAI projects for a period of 5 years. The said envelope shall clearly bear the name of the Project and name and address of the Bidder. A receipt thereof should be obtained from the below mentioned person.

ATTN. OF	:	Mr. Pankaj Asati
DESIGNATION	:	General Manager (T)
ADDRESS	:	National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi- 110075

Phone No. : 91-11-25074100/200 (Extn. 1323)
E-MAIL ADDRESS : pankajasati@nhai.org

- (iii) The Bidder shall upload scanned copies of the documents as specified in point nos.2(ii)(A)&(B) above on the <https://etenders.gov.in> before 1100 hours Indian Standard Time, on the Bid Due Date. In the event of any discrepancy between the original and the copy (in electronic form), the original shall prevail.
- (iv) It may be noted that scan copies can be prepared in different file format i.e. PDF and/ or RAR only. The Bidders can upload a single file of size of 30MB only but can upload multiple files.

3. AMENDMENT OF RFP:

Any Addendum to the RFP shall be uploaded only on the <https://etenders.gov.in> (Refer Clause 2.9.2 of the RFP)

4. MODIFICATION/SUBSTITUTION/WITHDRAWAL OF BIDS (Refer Clause 2.14.3 of the RFP):

- i. The Bidder may modify, substitute or withdraw its e- Bid after submission prior to the Bid Due Date. No Bid can be modified, substituted or withdrawn by the Bidder on or after the Bid Due Date & Time.
- ii. For modification of e-Bid, Bidder has to detach its old Bid from e-procurement portal and upload / resubmit digitally signed modified Bid. For withdrawal of Bid, a Bidder has to click on withdrawal icon at e-procurement portal and can withdraw its e-Bid. Before withdrawal of a Bid, it may specifically be noted that after withdrawal of a Bid for any reason, Bidder cannot re-submit e-Bid again.

5. OPENING AND EVALUATION OF BIDS (Refer to Clause 3.1 of the RFP):

- (i) The Authority shall open documents of the Bid received in electronic form as mentioned in point nos. 2(ii)(A) &(B) at 1130 hours Indian Standard Time on **28.02.2025**, online, in the presence of the Bidders who choose to attend. The Authority will subsequently examine and evaluate the Bids in accordance with the provisions set out in the RFP.

DISCLAIMER

The Bidder must read all the instructions in the RFP and submit the same accordingly.