

# **Guidelines for e-Procurement of Materials in MCL**

## **PART I**

**1. Preface:** - This document containing broad guidelines for e-Procurement of Materials, is framed with an objective that it should help all concerned in adopting the proposed automated web-based e-Procurement System with the objective of on-line evaluation and thereby reducing the human intervention in evaluation of tender and reduction of cycle time of procurement. The proposed system has been conceived based on the facts and figures obtained from the NIC and other internal sources. However any improvement to these guidelines may be adopted with the approval of CMD, MCL for the purposes like:

- a. Improvement in the System functionality
- b. Enhanced convenience to the users of the System
- c. Technical limitation in implementation of any feature as proposed in this document.

**2. SCOPE :-** The e-procurement system will cover the following:

- I. All the open and Limited open (open tender for all the eligible bidders with intimation to some short listed vendors) tenders having Indent value/Estimated Contract Value (ECV) of Rs 2 lakhs and above. This threshold limit may be reduced further by CMD,MCL once the system of e-Procurement is stabilized.
- II. Limited tenders for ECV of Rs 2 lakhs and above can also be floated through e-Procurement after implementing the vendor registration in different categories in compliance with CVC Office Order No. 43/7/04 dated 02.07.04 and its subsequent guidelines on this matter.  
  
**Note :** Procurement of proprietary item through Single Enquiry will not be covered under e-Procurement.
- III. All the steps involved starting from hosting of Tenders (based on approved and financially concurred Indent/Material Budget) till decision of L-1 bidder is covered like Hosting of NIT, Downloading and submission of bids, Opening of Tender and Evaluation of bids on line on a dedicated e-procurement portal of the company with validation of Tender Committee at nodal stages only. The Portal will also generate Reports required for the MIS/Decision Support System of MCL.
- IV. The other terms and conditions of NIT will be as per the Purchase Manual of CIL.

**Note :-**

1. The Purchase Manual of CIL is available on the website [www.coalindia.gov.in](http://www.coalindia.gov.in)
2. The Guidelines of e-Procurement for material in MCL will be available on [www.mcl.gov.in](http://www.mcl.gov.in)

### **3. THE ORGANISATIONAL SETUP**

Responsibility of the e-Procurement cell at MCL HQ will be:

- a. To co-ordinate and correspond with NIC, Bidders, User Departments and other concerned authorities such as Banks, Auditors etc. for the effective and efficient implementation of e-procurement.
- b. To facilitate customization of the Portal and to bring about continuous improvement in the system to suit the requirement of the Company.
- c. Arrangement of Training to Bidders and Departmental Users for adoption of automated web based e-procurement mode.
- d. To coordinate for the infrastructure development for the proper implementation of the e-Procurement system
- e. To create a helpdesk for online and offline support to different stakeholders of the system
- f. To arrange and update the Digital Signature Certificate for departmental users
- g. To arrange Publicity and facilitate change management for smooth migration from manual system of tendering to electronic mode.
- h. To Finalize the different documents, formats etc. for the e-procurement system.
- i. To Administer the e-Procurement Application and Online User Management.

### **4. THE PROCESS**

- a. The e-procurement portal shall be in compliance with IT Act 2000 and its subsequent amendments.
- b. Tender of the approved and financially concurred indents/Material Budget will be published in the e-Procurement portal by authorized executives of MCL with Digital Signature Certificate (DSC). The authorized executive for this purpose will normally be the HOD of the Material Management/ Purchase department. The tender may be created by the executive as authorized by the HOD, publishing the tender. While creating/publishing the tender the "Bid Openers" will be identified who will be essentially from the Tender Committee. The maximum number of Bid Opener will be three and the minimum number will be two. In case of Tenders floated by MM/Purchase department at MCL HQ., the Bid Openers will be the executives posted

at MCL HQ. only and in case of Tenders floated by Area authorities, the Bid Openers will be the executives posted at Area office only. Any individual may have multiple roles in this system.

- c. The Digital Signature Certificates have to be obtained for MCL users from NIC. The bidders will have to obtain the Digital Signature Certificate from any Certifying Agency, which is authorized by CCA, Govt. of India.
- d. Tender will be floated on-line by the MM/Purchase department indicating all the salient details such as description of items, indent value, delivery period, bid validity period, date of pre-bid meeting, start date and last date & time of submission of bid, period for seeking clarifications online by the bidder, date and time of opening of Techno commercial bid etc. and by uploading Notice Inviting Tender (NIT) and Terms & Conditions of supply contract.

After creation of tender a unique **Tender Id** is automatically generated by the system.

The tenders shall be floated on the dedicated e-Procurement portal of MCL and the information will also be hosted in a prescribed format on the Government tender website <https://www.tenders.gov.in> which shall contain the Description of items, ECV, start date and end date of bid submission, date of opening of part-I tender, contact addresses, the Unique Resource Locator (URL) of MCL's tender website for downloading and submission of bid etc.

Instead of publishing the notices for individual tenders in the print media, a general notice may be given by PRO, MCL in the leading local, regional and national dailies and the Trade journal regarding availability of the tender notices for e-Procurement of all departments of MCL on the e-Procurement websites. This notice may be published once in every fortnight on a regular basis.

Publication in print media for individual tenders may be dispensed with, since the tenders are being published on two tender websites including a dedicated website for government tenders.

In each tender having ECV more than Rs.5 Crore and for all Global Tenders an Independent External Monitor (IEM) is to be nominated as per Integrity Pact. IEM's name and address is to be given in the NIT and the Integrity Pact will be a part of the NIT document.

Pre-bid meeting may take place, if required, after publication of Tender. The pre-bid meeting shall be held on the scheduled date & time, if specified in the NIT. The purpose of the pre-bid meeting is to clarify the issues and to answer the questions on any matter that

may be raised at that stage. Non-attendance at the pre-bid meeting will not be a cause for disqualification of bidder and it shall be presumed that the bidder does not require any clarification.

- e. The bid submission will start from the next day of e-publication of NIT, but if there is a pre-bid meeting, it will start on the next day of pre-bid meeting and shall continue for minimum 15 (fifteen) days for the procurement having ECV Rs.50 lakhs & above and 10 days for the procurement having ECV less than Rs.50 Lakhs. For the Global tenders this period will be minimum 30 days.
- f. The Tender can be downloaded by any prospective bidder from the website free of cost and tender application fee is to be submitted at the time of bid submission.
- g. In order to submit the Bid, the bidders have to get themselves registered with the portal and should possess valid Digital Signature Certificate as given above. The Registration of the Bidders on the portal will be on-line and one time activity. The system will assign a unique user ID for each Bidder which will be valid till the bidder opts for deregistration.
- h. The bidder will have to accept the Commercial and General Terms & Conditions of the NIT 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. No conditional bid shall be allowed/accepted.
- i. In the undertaking given by the bidder on-line, there will be provision for forfeiture of EMD and banning for participating in future tenders in MCL for one year, if any information given by the bidder on-line is found to be false at any stage which changes the eligibility status of the bidder.
- j. The bidder may seek clarification on-line within the specified period. His identity 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 next day of e-publication of tender. The last date for seeking clarification will be up to 4 (four) days before the last date of submission of bid and the last date of giving clarification on-line will be up to 2 (two) days before the last date of bid submission.

The Creator of Tender will apprise the Publisher regarding the sought clarifications on a regular basis and will submit a report to the Publisher on the end date of seeking clarification regarding unanswered sought clarifications of the bidders. This will be mandatory

for the Creator and the final compliance report will be placed in the TCR file. The Tender Publishing Authority will be responsible for giving the clarifications on-line within the prescribed time frame.

- k. Corrigendum should be issued only in exceptional cases with the due approval of competent authority. However, corrigendum to NIT will be possible on-line with respect to extension of date and address. However, the extension of date for an event will be possible only before the expiry of earlier specified date and time for that particular event. Pre-ponement of date for any event is not permitted. Any corrigendum other than extension of date and change of address is not allowed. The scanned copy of corrigendum notice is to be uploaded on the e-Procurement Portal. The corrigendum notice should be hosted in both the websites where the original NIT has been hosted.
- l. The bidder will submit their Techno commercial Bid and Price bid on-line. No off-line bid shall be accepted.
- m. The bidder will have an option for submitting application fee and EMD in off-line mode in the form of Demand Draft(DD)/Bankers Cheque (BC)/Banker's Pay Order(BPO) from any scheduled bank either in person or by post which must be received in the office of tender publishing authority on any working day after e-publication of NIT and upto three working days after the last date of submission of bid. MCL shall not be responsible for any postal delay in receipt of Application fee and EMD. In case the Application fee and EMD are not received within the aforesaid period, the bid will be outrightly rejected.

The bidder will furnish all the information as sought on-line regarding Application Fee and EMD. Application fee will be mandatory in all cases. In case of exemption of EMD the scanned copy of document in support of exemption will have to be uploaded by the bidder.

After opening of Part I, the Tender Committee will validate the receipt of Application fee and EMD based on the information furnished by the bidders online and their submitted instruments(DD/BC/BPO) and the scanned copy of document in support of exemption of EMD, if any. If the information furnished by bidder online are in agreement with the submitted instruments then the bidder will be evaluated as eligible.

In future, the system of on-line payment of Application fee and EMD through electronic mode in Company's designated account will be implemented. However, the off-line mode of submission of Application fee and EMD will also continue till the on-line system is stabilized.

Once the on-line system is fully stabilized, the off-line mode will be discontinued.

The Application fee will be as per Manual of Civil Engineering Works of CIL as indicated below:

<b>Sl No.</b>	<b>Tendered Value (in Rs.)</b>	<b>Application Fee (in Rs.)</b>
1	Upto 2 lakh	100
2	Above 2 lakhs upto 10 lakhs	250
3	Above 10 lakhs upto 25 lakhs	500
4	Above 25 lakhs upto 50 lakhs	1000
5	Above 50 lakhs upto 1.00 Crore	2000
6	Above 1.00 Crore upto 2.00 Crore	5000
7	Above 2 Crore upto 5 Crore	7500
8	Above 5 Crore	10000

The EMD will be as per the Purchase Manual of CIL.

The qualification in Techno commercial bid will be subject to the receipt and acceptance of Application fee and EMD.

n. The bidder will download the Letter of Bid, Technical Evaluation Sheet and the Price bid from the e-Procurement portal.

1. **Letter of Bid:** The format of Letter of Bid will be uploaded during creation of tender in .pdf format as a NIT document. This will be downloaded by the bidder and will be printed/typed on his letter head. This document will be signed by the bidder 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 format given in the NIT and it should not contain any other information.

2. **Technical Parameter Sheet :** The Technical Parameter Sheet containing the technical specification parameters for each tendered item will be in Excel format (password protected) and will be uploaded during tender creation. This will be downloaded by the bidder and he will furnish all the required information on this Excel file. Thereafter, the bidder will upload the same Excel file during bid submission in **cover-I**. The Technical Parameter Sheet which is incomplete and not submitted as per instruction given above will be rejected.

3. **Price bid:** The Price bid containing the bill of quantity will be in Excel format (password protected) and will be uploaded during tender creation. This will be downloaded by the bidder and he will quote the rates, taxes & duties etc. for his offered items on this Excel file. Thereafter, the bidder will upload the same Excel file during bid submission in **cover-II**. The Price Bid which is

incomplete and not submitted as per instruction given above will be rejected.

- o. 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.

The bidder may withdraw his bid on-line at any time before the last date and time of submission of bid at his discretion without losing his EMD. However, if the bidder withdraws the bid after the deadline of bid submission, his EMD will be forfeited and other penal actions may be taken against the bidder. In the e-Procurement system, the on-line withdrawal of bid is possible only before the deadline of bid submission. For withdrawal of bid after deadline of bid submission, an off-line request is to be sent by the bidder to Tender Publishing Authority of MCL. The actions which shall be taken in case of withdrawal of bids at different stages of tender, are as indicated below:

- i. If the withdrawal is on-line within the deadline of bid submission, the EMD will be refunded.
  - ii. If the request of withdrawal is received after deadline of bid submission and before opening of Techno Commercial bid, the bidder will be disqualified and his EMD will be forfeited and the techno commercial bids of remaining bidders will be opened.
  - iii. If the request of withdrawal is received after opening of Techno Commercial bid and before opening of price bid, the bidder will be disqualified and his EMD will be forfeited and other penal actions may be taken and the Price-bid of remaining bidders will be opened.
  - iv. If the L1 bidder withdraws his bid after opening of price bid and before issue of Purchase Order, then his EMD will be forfeited and re-tender shall be done for the items in which the bidder was L1. In this re-tender such defaulting Bidder will not be allowed to participate.
  - v. If the L-1 bidder withdraws his bid after issue of Purchase Order then his EMD will be forfeited, other penal action may be taken and re-tender shall be done for the items awarded to him. In this re-tender such defaulting Bidder will not be allowed to participate.
- p. On the pre-scheduled date and time of tender opening, the received Techno Commercial bids (Cover-I) will be decrypted on-line and will be opened by the "Bid Openers" with their Digital Signature Certificates.

The Techno Commercial bid may be opened after the last date and time of submission of bid on the pre-scheduled date. However, in case of off-line submission of Application fee and EMD the Techno Commercial bid will be opened on the next working day after the end date of submission of off-line Application fee and EMD. The opening of the bids will be done by all the bid openers.

- i. Tender will be opened on the pre-scheduled date irrespective of the number of Bids received. Even in case of receipt of single bid, there will be no extension of bid submission date and single bid is to be opened for evaluation.
- ii. The e-Procurement System will evaluate the Techno Commercial bids automatically with least human intervention. For this purpose all the required parameters will be obtained from the Bidders in an objective and structured manner. Bidders will not be required to upload scanned copy of any document or to submit hard copy of any document for the evaluation process except the scanned copy of Letter of Bid, document in support of exemption of EMD (if applicable) and Excel sheet for Technical Evaluation. The information furnished by the bidders on-line along with on-line undertaking with Digital Signature Certificate in support of the authenticity of the facts, figures, information and documents furnished by them online will be accepted for the evaluation of the bids.

All the **Commercial** terms and conditions of contract like Delivery Schedule, Payment Terms, Price Fall Clause, Liquidated Damage Clause, Basis of Pricing (FOR/FOB Terms), Risk Purchase Clause, Guarantee/Warranty Conditions, Performance Guarantee Clause, Inspection Clause etc. will be specifically mentioned in the NIT. The bidder has to accept those terms and conditions unconditionally in order to participate in the tender.

The Indenting Technical department will furnish the details of Delivery Schedule, Guarantee/Warranty Conditions, Applicability of Performance Guarantee Clause and Inspection Clause. The other Clauses like Payment Terms, Price Fall Clause, Liquidated Damage Clause, Basis of Pricing (FOR/FOB Terms), Risk Purchase Clause etc. will be mentioned in the NIT as per the provisions of Purchase Manual of CIL. The rate of Entry Tax applicable for the tendered items is to be mentioned in the NIT. The applicability of CST (full or concessional) for the tendered items is also to be mentioned in the NIT. The General Terms and Condition will be as per Purchase Manual of CIL and shall form part of the NIT.

- iii. **Technical Specification:** The Indenting Technical department will furnish the technical specification for each specification parameter

of each item to be procured, in an objective format with the required evaluation criteria to the MM/Purchase department with the approved and financially concurred Indent/MB. The format will contain the specification parameters of the items in a very specific and objective manner which will facilitate automatic Technical evaluation of the Bids. The format to be given by Indenting Technical department will be as follows:

Item code	Specification parameters	Unit of Measurement	Evaluation Criteria	Required values	Type of document to be produced by L-1 bidder in support of their declaration (If required)
			Agreed/ Disagreed		
			Yes/No		
			More than		
			Less Than		
			Equal to		
			Equal or more than		
			Equal or less than		

Based on the above information received from the technical department, the Technical Parameter Sheet in Excel format (password protected) will be prepared by the official of MM/Purchase department (Creator of Tender) and the same will be uploaded during tender creation.

The bidders will download this Technical Parameter Sheet and will furnish their values against each specification parameter and will upload the same Excel file during submission of bid. Based on the evaluation criteria indicated in the Technical Parameter Excel Sheet, the technical evaluation of the bid will be done by the system without human intervention and the compliance report will be displayed to the bidders on-line.

Any item may have any number of specification parameters and any indent may have any number of items but the technical specification parameters have to be brought out essentially in the above format.

The technical specification parameters to be mentioned in the Technical Parameter sheet shall contain only those specification parameters, compliance of which are mandatory in nature for the purpose of procurement and non compliance of which are not acceptable. Non compliance of any one specification parameter of any item will disqualify the bidder in that item.

If any item has got BIS reference and ISI marking, the compliance of relevant BIS code and ISI marking will be the mandatory criteria to be mentioned in the technical specification parameter. In this case the compliance of "Relevant BIS code with ISI marking" will be the mandatory technical specification parameter and there is no need of going into details of each and every technical parameter. However, any important technical parameter, if it is essential, may be mentioned but it should not be contradictory to the relevant BIS specifications.

For safety items where use of DGMS approved products is essential, the DGMS approval will be the mandatory criteria to be mentioned in the technical specification parameter. In this cases the compliance of "DGMS approval" will be the mandatory technical specification parameter and there is no need of going into details of each and every technical parameter. However, any important technical parameter, if it is essential, may be mentioned but it should not be contradictory to the relevant DGMS stipulations.

The Technical evaluation of Tenders will be done on-line by the software as per respective Evaluation Criteria specified in the Technical Evaluation Excel File specially designed for obtaining specific information from the bidders and evaluating the same in a transparent manner so that Bidders will be able to know, whether they comply to the Technical specification parameters of the NIT.

- iv. In case of domestic tenders, the bidders will be asked to quote their unit rate on FOR destination basis in a specified format containing the breakup of applicable taxes and duties, freight, insurance, Entry Tax and other components of the price in absolute value, along with the basic price of each item. The L1 bidder will be decided by the system on the basis of landed price inclusive of all taxes and duties as applicable for each item. It will be calculated automatically by the system based on the price quoted by the bidders, by summing up the basic rate with other price elements, as given by the bidders on-line. Non submission of any price component by bidder will be taken as 'zero' by the system, the evaluation will be done accordingly and that price element will be assumed to be included in the basic price.

The rates applicable for Entry Tax (ET) for the items covered in the Tender will be given explicitly in the NIT and the bidder will have to quote accordingly on-line. In respect of supplies from the states other than Orissa, Entry Tax will be paid by MCL but for the supplies from within the state of Orissa the Entry Tax will be paid by the bidder. In case the bidders from outside Orissa indicate the

Entry Tax amount less than the rate indicated in the NIT, it will be presumed that the balance Entry Tax amount is also included in their price and the Entry Tax amount paid by MCL at the rate indicated in the NIT will be adjusted in the Purchase order value placed on them.

For Global Tenders the foreign manufacturers or their authorized foreign selling agents/dealers/distributors shall quote their rates on FOB delivery port/airport basis. The FOR landed price will be calculated off-line by Tender Committee in compliance with the Purchase Manual of CIL for the purpose of price bid evaluation and will be uploaded on-line. This system of conversion will be specifically mentioned in the NIT. The indigenous manufacturer or their authorised selling agents/dealers/distributors and the authorised Indian selling agents/dealers/distributors of Foreign Manufacturer will quote their rates on FOR destination basis as prescribed for domestic tenders.

- v. Acceptance of Bidders in a general form of on-line declaration will be recognized and accepted as the certification regarding authenticity of all the information and documents furnished by them on-line and acceptance of all terms and conditions of the bid document, since such acceptance by Bidder with Digital Signature Certificate is legally tenable.
- vi. The Price Bid/Bill of Quantity(BOQ) will be in **Item-Wise Rate BOQ** format: Here the bidder may quote for any or all the tendered items and the L1 will be decided for each item separately.

**vii. Verification of Documents**

- A. L1 Bidder/s for each item will have to produce the documents (original/self authenticated and attested by Public Notary), as specified in the NIT, in support of the information furnished by him/them on-line, for verification by Tender Committee on any working day within 10 days in case of domestic tenders and 15 days in case of global tenders from the date of opening of Price-bid.

The L1 bidder/s will also submit an affidavit (original) on a non-judicial stamp paper of Rs.10 regarding genuineness of the information furnished by him/them online and authenticity of the documents being produced by him/them, within the same time frame. No additional time will be allowed to the bidder for producing the required documents.

All the documents to be submitted by L1 bidder will be self authenticated and attested by Public Notary. However the following documents will be in Original:

- a. Specific authorization of the principal manufacturer to their Selling Agent/Dealer/Distributor to quote against the specific tender.
  - b. Affidavit regarding genuineness of the information furnished by the bidder on-line and authenticity of the documents produced by him for verification by TC
- B. In case the L1 bidder for any item fails to produce the documents within the specified period of 10 days in case of domestic tenders and 15 days in case of global tenders, or if any of the information furnished by L1 bidder on-line is found to be false by the Tender Committee during verification of documents, which changes the eligibility status of the bidder, then re-tender will be done for the items in which the bidder was L1 with forfeiture of EMD and banning of L1 bidder for one year from participating in future tenders.
- viii. The participating bidders may view the opening of the Techno Commercial bids remotely on-line.
- q. After opening of the techno-commercial bid, the acceptance of Application fee and EMD by Tender Committee will be entered on-line by the Bid Opener of MM/Purchase department (Evaluator of Tender).

Evaluation sheets generated by the system on-line shall be downloaded during opening of Part-I and shall be placed before the Tender Committee for validation. The Tender Committee will validate the on-line evaluation of Techno Commercial bid based on the information furnished by bidder on-line. The system generated evaluation sheets shall be authenticated by Tender Committee and shall be kept in the TCR file. The brief Tender Committee Recommendation based on the on-line evaluation will be made for opening of Price bid of eligible bidders. The Part I - TCR will not require any approval of the accepting authority of the tender. The summary of technical evaluation (Part-I - TCR) with the names of eligible bidders and the brief reasons for disqualification of unsuccessful bidders (if any) alongwith the date of Price-bid opening will be uploaded by the Evaluator of Tender. Date of Price-bid opening shall be kept one day after the date of uploading of the summary of technical evaluation. All the bidders will get this information on their personalized dash-board and also by system generated e-mail. The Part-I TCR will be a part of the final TCR to be processed for approval of the competent authority.

- r. The Price bid of the successful bidders (qualified in Techno commercial bid) will be decrypted and opened on the scheduled date and after the pre-scheduled time by the *Bid Openers* with their Digital Signature Certificates. The Bidders may view the price bid opening online remotely. The Price bids and system generated Comparative Statement will be downloaded and will be signed by the Tender Committee. This will be kept in the TCR file.
- s. The EMD of unsuccessful bidders will be refunded through e-Payment, immediately after opening of Price-bid. The provision should be kept in the NIT that "the bidders should submit MANDATE FORM for ePayment along with EMD, if not submitted earlier, as per the format given in the bid document".
- t. After opening of Price-bid the Comparative Statement of Prices indicating the rates quoted by all the bidders and item wise L-1 rank will be generated by the system which will be visible to all the participating bidders on-line.
- u. It will be the bidder's responsibility to check the status of their Bid on-line at least once daily, after the opening of Techno-commercial bid till opening of the Price-bid. No separate communication will be made to the bidder in this regard and this will be specifically mentioned in the NIT.
- v. The system will preserve the details of Techno Commercial bid and Price bid in the archives for auditing purposes and the same can be accessed with special authorization.
- w. The Bid validity period will be 60(sixty) days in case of domestic tenders requiring approval below Board level (based on tendered value), 75 days in case of domestic tenders requiring approval of Board (based on tendered value) and 90 days for global tenders, from the last date of submission of bid.
- x. The Tender Committee will recommend for issue of Purchase Order to the successful bidder/s after evaluating their technical eligibility based on the computer generated evaluation sheets followed by verification of the documents submitted by L-1 bidder/s in support of the information furnished by them on line and after evaluation of the reasonableness of L-1 rates. The reasonableness of rates will be evaluated as per the provisions of Purchase Manual of CIL and other guidelines issued from time to time.

The approval for issue of Purchase Order to L-1 bidder/s will be accorded by the competent authority as per Delegation of Power based on the TC recommendation .

- y. After competent approval and financial concurrence of TCR, the Purchase order to the successful bidder/s will be issued and the scanned copy of the Purchase Order will be uploaded on the eProcurement portal and the original copy will be sent to the bidder/s through registered/speed post.
- z. Any tender hosted on the e-Procurement site must be logically concluded i.e. either Award of work is issued or the tender is cancelled.

## **5. THE DUTIES AND RESPONSIBILITIES:**

The following *Roles* have been identified for the departmental users, which are to be executed with valid Digital Signature Certificate :

- a. **THE CREATOR OF TENDER** :- He will have the privilege of creating the Tender based on the approved and financially concurred Indent/Material Budget. Normally the executive of MM/Purchase Department will be assigned this role by HOD of the MM /Purchase department.
- b. **THE PUBLISHER OF TENDER** :- He will be normally the HOD of the Material Management/Purchase department and will be responsible for timely and accurately hosting of tender on the e-Procurement portal with his Digital Signature Certificate.
- c. **THE OPENERS OF TENDER**:- The tender will be decrypted and opened with the Digital Signature Certificate of each Bid Opener as identified during creation of the tender. Each Bid Opener will have to access Portal one by one for decryption and opening of bid. The Bid Openers will be essentially from the Tender Committee.
- d. **THE EVALUATOR OF TENDER**:- The Evaluator is the person who will enter and upload the decision of the Tender Committee in the e-Procurement portal and he will be the member of Tender Committee from MM/Purchase department.
- e. The **Tender Committee** will accept and validate the receipt of EMD and Application fee and on-line evaluation of Technical Bid. The reason of disqualification of bidder, if any, by the system will be recorded in Part I TCR and will be uploaded by the Evaluator. Similarly the financial evaluation will be done by Tender Committee and the outcome will be uploaded by the Evaluator.

- f. **Auditor** : He will be given privileged access to audit tendering process.
- g. **E-Procurement Cell** : Online User Management and Administration of e-Procurement Application

**Note : One individual may have multiple roles as identified above. However e-Procurement cell cannot be assigned with the roles of Creator/ Publisher/Opener/ Evaluator/ Tender Committee/ Auditor.**

## **6. Special situations :**

- a. In case any officer holding any of the above roles is not available for performing his role, he may give off-line authorization to use his Digital Signature Certificate for a specific period and for the specific roles. However, this should be used only when it is absolutely essential and with the approval of next higher authority of the official giving authorization.
- b. In case of transfer within MCL the executive holding a role of Bid Opener in a live tender will have to perform this role from his new place of posting. After completing all such assignments his organizational place will be reallocated by e-Procurement Cell on a written request from the executive countersigned by the GM/CGM of the Area/Department.
- c. In case of inter company transfer the executive has to surrender his DSC with an offline authorization for performing the already assigned activity of Bid Opener. After that his DSC will be deregistered from the system.
- d. In case of transfer from MCL or superannuation, the executives having DSCs will have to obtain the clearance regarding handover of DSC at the time of release from MCL. The executives posted at MCL-HQ. should obtain clearance from e-Procurement cell and in case of the executives posted at Areas, the clearance may be obtained from the System department of the Area.
- e. In case the Digital Signature Certificate is lost or misplaced, FIR should be lodged by the concerned executive and e-Procurement cell should be informed immediately with a copy of FIR. Effort will be made to obtain another copy of DSC from the DSC provider and till such period the date of opening of Tenders in which he has already been assigned the role of Bid Opener will have to be extended. In case it is not possible to prepare a

copy of the DSC due to any reason, the Tender, which are yet to be opened will be cancelled and re-tendered.

- f. For any change of role of departmental user, a written request by the HOD of the concerned department shall be sent to e-Procurement cell.

**7. Future initiatives under e-Procurement :-**

A system of obtaining Price bid through Reverse Auction.

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## **PART II**

### **8. Eligibility Criteria**

#### **A. BASIC ELIGIBILITY:**

##### **1.FOR EQUIPMENT/CONSUMABLES/MEDICINES**

#### **I. Domestic Tenders :**

The bidder should be either of the following :

- a. Indian Manufacturer of the tendered items,  
**OR**
- b. Indian Selling Agent/Dealer/Distributor authorized by the Indian Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy,  
**OR**
- c. Indian Selling Agent/Dealer/Distributor authorized by the Foreign Manufacturer of the tendered items.

#### **II. Global Tenders**

The bidder should be either of the following :

- a. Indian Manufacturer of the tendered items,  
**OR**
- b. Indian Selling Agent/Dealer/Distributor authorized by the Indian Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy,  
**OR**
- c. Foreign Manufacturer of the tendered items,  
**OR**
- d. Foreign Selling Agent/Dealer/Distributor authorized by the Foreign Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy,  
**OR**
- e. Indian Selling Agent/Dealer/Distributor authorized by the Foreign Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy.

#### **Note :**

- i. One Manufacturer can authorize only one Selling Agent/Dealer/Distributor against the same item in one tender.*

- ii. *One Selling Agent/Dealer/Distributor can quote for the products of only one Manufacturer against the same item in one tender.*

**Data to be furnished by Bidder on-line :**

- i. Confirmation in the form of **Yes/No**, regarding possessing documentary evidence for being either a manufacturer of the tendered item/items(*being quoted by the bidder*) or possessing specific authorization from their principal manufacturer to quote against the specific tender as their authorized Selling Agent/Dealer/Distributor.
- ii. The name, type and detail of the document being possessed by the bidder

**2. FOR SPARES (ASSEMBLIES/SUB-ASSEMBLIES/COMPONENTS)**

**I. Domestic Tenders :**

The bidder should be either of the following :

- a. Indian Manufacturer of the tendered items,  
**OR**
- b. Indian Selling Agent/Dealer/Distributor authorized by the Indian Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy,  
**OR**
- c. Indian Selling Agent/Dealer/Distributor authorized by the Foreign Manufacturer of the tendered items.  
**OR**
- d. Original Equipment Manufacturer (OEM) for the equipment in which the tendered Spares (assemblies/sub-assemblies/ components) are to be fitted  
**OR**
- e. Original Equipment Supplier (OES) i.e. the firms who are authorized supplier of Original Equipment Manufacturer for supply of the equipment in which the tendered Spares (assemblies/sub-assemblies/components) are to be fitted.

**II. Global Tenders :**

The bidder should be either of the following :

- a. Indian Manufacturer of the tendered items,

**OR**

b. Indian Selling Agent/Dealer/Distributor authorized by the Indian Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy,

**OR**

c. Foreign Manufacturer of the tendered items,

**OR**

d. Foreign Selling Agent/Dealer/Distributor authorized by the Foreign Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy,

**OR**

e. Indian Selling Agent/Dealer/Distributor authorized by the Foreign Manufacturer of the tendered items, if the manufacturer does not quote directly as a matter of policy.

**OR**

f. Original Equipment Manufacturer (OEM) for the equipment in which the tendered Spares (assemblies/sub-assemblies/ components) are to be fitted

**OR**

g. Original Equipment Supplier (OES) i.e. the firms who are authorized supplier of Original Equipment Manufacturer for supply of the equipment in which the tendered Spares (assemblies/sub-assemblies/components) are to be fitted.

**Note :**

- i. One Manufacturer can authorize only one Selling Agent/Dealer/Distributor against the same item in one tender.*
- ii. One Selling Agent/Dealer/Distributor can quote for the products of only one Manufacturer against the same item in one tender.*

**Data to be furnished by Bidder on-line :**

- iii. Confirmation in the form of **Yes/No**, regarding possessing documentary evidence for being either OEM or OES of the original equipment in which the spares are to be fitted or manufacturer of the tendered items (*being quoted by the bidder*) or possessing specific authorization from their principal manufacturer to quote against the specific tender as their authorized Selling Agent/ Dealer/Distributor.
- iv. The name, type and detail of the document being possessed by the bidder

**Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. It will also capture the information as given by the bidder in the remark column.

**Documents to be produced by L1 bidder for verification by TC :**

<b>SI No</b>	<b>Category of Bidder</b>	<b>Document to be submitted w.r.to quoted items</b>
1	Indian Manufacturers	Any one of the following documents : a. Factory license/Manufacturing license b. NSIC registration certificate. c. DGS&D registration certificate d. SSI/DIC registration certificate e. Valid ISO Certificate. f. Valid BIS license/certificate g. Valid DGMS approval
2	Indian selling agents/dealers/distributors authorized by Indian manufacturer	1. Specific authorization in original from their principal manufacturer to quote against this tender 2. Any one of the following documents of the principal manufacturer : a. Factory license/Manufacturing license b. NSIC registration certificate. c. DGS&D registration certificate d. SSI/DIC registration certificate e. Valid ISO Certificate. f. Valid BIS license/certificate g. Valid DGMS approval
3	Foreign manufacturer	Any one of the following documents : a. Manufacturing License/certificate b. Valid ISO Certificate
4	Foreign selling agents/dealers/distributors authorized by Foreign manufacturer	1. Specific authorization in original from their principal manufacturer to quote against this tender 2. Any one of the following documents of the principal manufacturer : a. Manufacturing License/Certificate b. Valid ISO Certificate
5	Indian selling agents/dealers/distributors authorized by Foreign manufacturer	1. Specific authorization in original from their principal manufacturer to quote against this tender 2. Any one of the following documents of the principal manufacturer :

		a. Manufacturing License/Certificate b. Valid ISO Certificate
6	Original Equipment Manufacturer (OEM) for the equipment in which the tendered Spares (assemblies/sub-assemblies/components) are to be fitted	<b>No Document</b>
7	Original Equipment Supplier (OES) i.e. the firms who are authorized supplier of Original Equipment Manufacturer for supply of the equipment in which the tendered Spares (assemblies/sub-assemblies/components) are to be fitted)	<b>Specific authorization of OEM</b>
<b>Note: In case of procurement of medicine the "Drug Manufacturing License" of the principal manufacturer will be the mandatory document</b>		

## **B. Provenness criteria**

### **1. FOR PURCHASE OF EQUIPMENT**

The type & model of the equipment to be offered by the bidder must have been supplied in the past to any Government/Public Sector Undertakings (Indigenous or Global) or any Private Industry (Indigenous or Global) and performed satisfactorily for a period not less than one year from the date of commissioning.

**Note :** In case of procurement of Dumpers of 120Te & above, Shovels of 10 Cum & above and Dragline, the period of satisfactory performance will be as per the Purchase Manual of CIL.

#### **Data to be furnished by the Bidders on line.**

Confirmation in the form of **Yes/No** regarding possessing the satisfactory performance certificate along with supply orders for the type and model of the offered equipment supplied to any Government/Public Sector Undertakings (Indigenous or Global) or any Private Industry (Indigenous or Global) for a period of not less than one year from the date of commissioning

### **Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. It will also capture the information as given by the bidder in the remark column.

### **Documents to be produced by L1 bidder for verification by TC :**

<b>Sl No</b>	<b>Documents required for the Provenness Criteria</b>	<b>Content of the Document</b>
1	A complete set of supply order for the type and model of the offered equipment supplied to any Government/Public Sector Undertakings(Indigenous or Global) or any Private Industry (Indigenous or Global)	The Supply order must contain the following information: 1. Name of the organization issuing the supply order 2. Reference of Supply order Number with date of issue 3. Type and model of equipment
2	The satisfactory performance certificate issued by the same organization for the same equipment (w.r.to supply order submitted as above) for at least one year from the date of commissioning .	The performance certificate must contain the following information: 1. Reference of Supply order 2. Date of Commissioning 3. Satisfactory performance for at least one year from the date of commissioning.

## **2. FOR PURCHASE OF SPARES (ASSEMBLIES /SUB-ASSEMBLIES /COMPONENTS)**

Any one of the following conditions should be satisfied for provenness :

- (i) The Spares (assemblies/sub-assemblies/ components) to be offered by the bidder must have been supplied in the past to any Government/Public Sector Undertakings(Indigenous or Global) or any Private Industry (Indigenous or Global) and performed satisfactorily for a period not less than six months.  
OR
- (ii) The bidder should be the Original Equipment Manufacturer(OEM) for the equipment in which the tendered Spares (assemblies/sub-assemblies/ components) are to be fitted.  
OR
- (iii) The bidder should be the Original Equipment Supplier (OES) i.e. the firms who are authorized supplier of Original Equipment

Manufacturer for supply of the equipment in which the tendered Spares (assemblies/sub-assemblies/components) are to be fitted).

OR

- (iv) The bidder should be the Original Parts Manufacturer (OPM) i.e. the firms who are the original manufacturer of the tendered Spares (assemblies/sub-assemblies/components) of the original equipment in which the Spares are to be fitted.

OR

- (v) The bidder should be Original Parts Supplier (OPS) i.e. the firms who supply tendered Spares (assemblies/sub-assemblies/components) to the Original Equipment Manufacturer of the equipment in which the Spares are to be fitted.

OR

- (vi) The bidder should currently hold Depot Agreement/Rate Contract for supply of the tendered Spares (assemblies/sub-assemblies/components) with CIL or its Subsidiaries.

OR

- (vii) The bidder should currently hold Rate Contract for supply of the tendered Spares (assemblies/sub-assemblies/components) with DGS&D.

OR

- (viii) The bidder should have valid DGMS approval for the tendered Spares (assemblies/sub-assemblies/components)

OR

- (ix) The bidder should be the Proven Ancillary unit of MCL for the tendered Spares (assemblies/sub-assemblies/components)

**Data to be furnished by the Bidders on line.**

Confirmation in the form of **Yes/No** regarding compliance to any one of the criteria mentioned at Sl.No. (i) to (ix) above and possessing the corresponding supporting document as given in the NIT.

**Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. It will also capture the information as given by the bidder in the remark column.

**Documents to be produced by L1 bidder for verification by TC :**

SI no.	Alternative Provenness Criteria	Document to be submitted w.r.to quoted items
1	The Spares (assemblies/sub-assemblies/ components) to be offered by the bidder must have been supplied in the past to any Government/Public Sector Undertakings (Indigenous or Global) or any Private Industry (Indigenous or Global) and performed satisfactorily for a period not less than six months.	<p>a. <b>Complete Set of Supply order for the spares</b> (assemblies/sub-assemblies/ components)</p> <p>b. <b>Satisfactory performance report from the users</b> for a period of not less than 06 months.</p>
2	The bidder should be the Original Equipment Manufacturer(OEM) for the equipment in which the tendered Spares (assemblies/sub-assemblies/ components) are to be fitted.	No Document
3	The bidder should be the Original Equipment Supplier (OES) i.e. the firms who are authorized supplier of Original Equipment Manufacturer for supply of the equipment in which the tendered Spares (assemblies/sub-assemblies/components) are to be fitted).	No Document
4	The bidder should be the Original Parts Manufacturer (OPM) i.e. the firms who are the original manufacturer of the tendered Spares (assemblies/sub-assemblies/components) of the original equipment in which the Spares are to be fitted.	At least one supply order placed on them by Original Equipment Manufacturer (OEM) of the quoted items.
5	The bidder should be Original Parts Supplier (OPS) i.e. the firms who supply tendered Spares (assemblies/sub-assemblies/ components) to the Original Equipment Manufacturer of the equipment in which the Spares are to be fitted.	At least one supply order placed on them by Original Equipment Manufacturer (OEM) of the quoted items
6.	The bidder should currently hold Depot Agreement/Rate Contract for supply of the tendered Spares (assemblies/sub-assemblies/ components) with CIL or its Subsidiaries.	Valid Depot Agreement/Rate Contract as issued by CIL or its any Subsidiary
7	The bidder should currently hold	Valid Rate Contract as issued by DGS&D

	Rate Contract for supply of the tendered Spares (assemblies/sub-assemblies/ components) with DGS&D.	
<b>8</b>	The bidder should have valid DGMS approval for the tendered Spares (assemblies/sub-assemblies/ components)	Valid DGMS Approval for the quoted items
<b>9</b>	The bidder should be the Proven Ancillary unit of MCL for the tendered Spares (assemblies/sub-assemblies/components)	Valid Proven ancillary Certificate issued by MCL for the quoted items

### **3. FOR CONSUMABLES AND OTHERS**

Any one of the following conditions should be satisfied for provenness :

- i. The items to be offered by the bidder must have been supplied in the past to any Government/Public Sector Undertakings(Indigenous or Global) or any Private Industry (Indigenous or Global) and performed satisfactorily for a period not less than six months.

OR

- ii. The tendered items to be offered by the bidder should be ISI marked

OR

- iii. The bidder should currently hold Rate Contract with CIL or its Subsidiaries for supply of the tendered items to be offered by the bidder.

OR

- iv. The bidder should currently hold Rate Contract with DGS&D for supply of the tendered items to be offered by the bidder.

OR

- v. The bidder should have valid DGMS approval for the tendered items to be offered by the bidder.

OR

- vi. The bidder should be the Proven Ancillary unit of MCL for the tendered items to be offered by the bidder.

**Data to be furnished by the Bidders on line.**

Confirmation in **Yes/No** regarding compliance to any one of the criteria mentioned at Sl. No. (i) to (vi) above and possessing the corresponding supporting document as given in the NIT.

**Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. It will also capture the information as given by the bidder in the remark column.

**Documents to be produced by L1 bidder for verification by TC :**

<b>SI no.</b>	<b>Alternative Provenness Criteria</b>	<b>Document to be submitted w.r.to quoted items</b>
<b>1</b>	The items to be offered by the bidder must have been supplied in the past to any Government/Public Sector Undertakings(Indigenous or Global) or any Private Industry (Indigenous or Global) and performed satisfactorily for a period not less than six months	1. Complete set of Supply order for the quoted items. 2. Satisfactory performance report from the users for a period of not less than 6 months.
<b>2</b>	The tendered items to be offered by the bidder should be ISI marked	Valid BIS Marking License(Certificate) of the manufacturer for the quoted items.
<b>3</b>	The bidder should currently hold Rate Contract with CIL or its Subsidiaries for supply of the tendered items to be offered by the bidder.	Valid Rate Contract as issued by CIL/any other subsidiary of CIL for the quoted items
<b>4</b>	The bidder should currently hold Rate Contract with DGS&D for supply of the tendered items to be offered by the bidder.	Valid Rate Contract as issued by DGS&D for the quoted items
<b>5</b>	The bidder should have valid DGMS approval for the tendered items to be offered by the bidder.	Valid DGMS Approval for the quoted items
<b>6</b>	The bidder should be the Proven Ancillary unit of MCL for the tendered items to be offered by the bidder.	Proven ancillary Certificate issued by MCL for the quoted items

#### 4. FOR THE PURCHASE OF MEDICINES

Any one of the following conditions should be satisfied for provenness:

- i. The bidder should have valid WHO GMP certificate/CoPP for individual product. The certificate must include either the name of drugs or the category of drugs for which the WHO GMP certificate/CoPP is issued to the manufacturer. (In case the bidder is authorized selling agent/dealer/distributor, their principal manufacturer should have valid WHO GMP certificate/CoPP for the tendered medicine)

**OR**

- ii. The manufacturer of the tendered medicine should be amongst the ORG Top 100 pharmaceutical companies as per the latest ORG Marketing Survey.

**OR**

- iii. The bidder should currently hold Rate Contract for supply of the tendered medicines with CIL or its Subsidiaries or DGS&D.

#### **Data to be furnished by the Bidders on line.**

Confirmation in **Yes/No** regarding compliance to any one of the criteria mentioned at Sl.No. (i) to (iii) above and possessing the corresponding supporting document as given in the NIT.

#### **Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. It will also capture the information as given by the bidder in the remark column.

#### **Documents to be produced by L1 bidder for verification by TC :**

Sl no.	Alternative Provenness Criteria	Document w.r.to quoted medicines
<b>1</b>	The bidder should have valid WHO GMP certificate/CoPP for individual product. The certificate must include either the name of drugs or the category of drugs for which the WHO GMP certificate/CoPP is issued to the manufacturer. (In case the bidder is authorized selling agent/ dealer/distributor, their principal manufacturer should have valid WHO GMP certificate/CoPP for the tendered medicine.)	WHO GMP Certificate /CoPP issued by competent authority for the quoted medicines

<b>2</b>	The manufacturer of the tendered medicine should be amongst the ORG Top 100 pharmaceutical companies as per the latest ORG Marketing Survey.	ORG Marketing Survey Ranking of manufacturer valid on the end date of Submission of bid
<b>3</b>	The bidder should currently hold Rate Contract for supply of the tendered medicines with CIL or its Subsidiaries or DGS&D.	Valid Rate Contract as issued by CIL or its any subsidiary or DGS&D for the quoted medicines

**C. VAT/SALES TAX REGISTRATION:-** The bidder should possess a VAT/ Sales Tax registration issued by Sales Tax Department of any Indian State/UT.

**Data to be furnished by Bidder on-line :**

- i. Confirmation in the form of **Yes/No** regarding possessing of VAT/Sales Tax Registration certificate issued by Sales Tax Department of any Indian State/UT
- ii. Sales Tax Registration Number /TIN

**Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. System will also capture the Sales Tax Registration Number/TIN of the bidder

**Document to be produced by L1 bidder for verification by TC :**

VAT/ Sales Tax Registration Certificate

**D. Permanent Account Number:-** The bidder should possess a Permanent Account Number issued by Income Tax Department, Govt. of India.

**Data to be furnished by Bidder on-line :**

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

**Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. System will also capture the PAN of the bidder

**Document to be produced by L1 bidder for verification by TC :**

PAN CARD of the bidder

**Note:** Clause No. 8 ( C ) & ( D ) will not be applicable for (i) Foreign manufacturer and (ii) Foreign selling agents/dealers/distributors authorized by foreign manufacturer.

**E. General Essential Requirements**

- a) The bidders have to accept the user portal agreement as per which he/she has to :
  - i. Accept all the Terms and Condition including the Commercial Terms and Conditions of the NIT and Tender Document Unconditionally on line
  - ii. Give all the undertakings online as applicable for the tender specified in the NIT online.
  - iii. Produce all the documents as specified in the NIT for verification as per the checklist given in the Tender Document if he becomes L1 including an undertaking in the form of affidavit in original on a non judicial stamp paper of Rs.10 regarding authenticity of information furnished by him on line and the original documents produced by him for verification by TC.
- b) If the bidder himself is not the DSC holder bidding in this tender then the power of attorney or any legally acceptable authority to bid on behalf of the bidder

**Data to be furnished by Bidder on-line :**

- 1. Confirmation in the form of **Agree/Disagree** for accepting user portal agreement
- 2. Confirmation in the form of **Yes/No** regarding " either the bidder himself is the DSC holder bidding in the tender or is in possession of any legally acceptable document to bid on behalf of the bidder"

## **Technical evaluation by the System :**

System will capture data in the **YES/NO** format from the bidder and will decide the eligibility. It will also capture the information as given by the bidder in the remark column.

## **Document to be produced by L1 bidder for verification by TC :**

1. **For Sl. No. 1 :**No Document
2. **For Sl. No. 2:**
  - A. **If the bidder himself is the DSC holder bidding online :**  
No Document
  - B. **If the DSC holder is bidding online on behalf of the bidder :** Power of Attorney or any other legally acceptable document authorizing DSC holder to bid on behalf of the bidder.
  - C. One time Mandate for e-payment : Mandate Information to be given offline with EMD and Application fee.

## **F. TECHNICAL EVALUATION**

### **CRITERIA**

The quoted items should conform to all the technical parameters as given in the NIT in the following format:

Item code	Specification parameters	Unit of Measurement	Evaluation Criteria	Required values	Bidder's Value
TO BE GIVEN BY DEPARTMENT IN THE NIT					TO BE FURNISHED BY THE BIDDER
			Agreed/ Disagreed		
			Yes/No		
			More than		
			Less Than		
			Equal to		
			Equal or more than		
			Equal or less than		

**Data to be furnished by the Bidders on line.**

The bidder will have to download the Excel Sheet containing the required specifications and will furnish all the information w.r.to each specification parameter in the bidder's value column for the items, the bidder intends to offer.

**Technical evaluation by the System :**

The system will make **Item wise Evaluation**. If a bidder satisfies all the required parameters of a particular item then he is eligible for that item otherwise the bidder will be Technically rejected in that item and the price bid of that item will not be opened. The bidders will get the information online while submitting the bid regarding their eligibility w.r.to each item.

**Documents to be produced by L1 bidder for verification by TC :**

It will be decided by the Technical department at the time of finalizing the Technical specifications that what documents are to be taken from the bidder against the on line submission of technical parameters and this will be mentioned in the NIT.

## **9. UNDERTAKINGS TO BE furnished ON-LINE BY THE BIDDER**

### **I DO UNDERTAKE**

1. That all the information being submitted by me/us are genuine, authentic, true and valid on the date of submission of tender and if any information is found to be false at any stage of tendering or contract period I/We will be liable for the following penal actions apart from the other penal actions prescribed elsewhere in the tender document:-
  - a. Cancellation of my/our bid/ contract (as the case may be)
  - b. Forfeiture of EMD
  - c. Banning of business for a period of one year from all other future tenders in MCL and it may be communicated to CIL also for further action .
2. That I/we accept all terms and condition of NIT, General Terms and Condition and Special/Additional Terms and Condition as given in tender document as available on the website.
3. That I/we accept the Integrity Pact as given in the tender document (if applicable).
4. That I/we am/are giving my/our consent for e-payment and submitting the mandate form for e-payment in the format as prescribed in the document.
5. That I/we do authorize MCL for seeking information/clarification from my Bankers having reference in this bid.
6. That I/we will produce the required documents as specified in the NIT in support of the information and data furnished by me/us on line, within the time frame as stipulated in the NIT, if I/we become the L-1 bidder.
7. That I/we have not been banned or de-listed by any Government or Quasi-Government agencies or PSUs. If a bidder has been banned by Government or Quasi-Government agencies, PSUs then the organization and the period of banning are to be specifically mentioned in the affidavit.

(The MM Department of MCL HQ may specify any other specific undertaking to be taken offline from the L1 bidder while framing the NIT. In this undertaking the Clause no 4 of Section 2 of Integrity Pact is to be taken essentially wherever it is applicable. This clause states: **"The bidder/contractor will, when presenting his bid, disclose any or all payments he has made, is committed to or intends to make to agents, brokers or any other intermediaries in connection with the award of the contract"**)

## 10. FORMAT OF LETTER OF BID

<b><u>LETTER HEAD OF BIDDER</u></b>
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To  
The Tender Committee  
MM Department  
-----

Sub : **Letter of Bid** for Supply of `-----`  
-----`

Ref : 1. **NIT No:** -----  
2. **Tender Id No** . -----

Dear Sir,

We offer to execute the supply of materials as per our offered bill of quantity in accordance with the conditions of the contract document as available in the website. The details of the application fee and EMD being submitted by us has been furnished on-line by us.

This Bid and your written acceptance of it shall constitute a binding contract between us. We understand that you are not bound to accept the lowest or any bid you receive .

We hereby confirm our acceptance of all the terms and conditions of the NIT document unconditionally.

Yours faithfully,

(Authorised Signatory)

**Name of Authorised Signatory** :  
**Type of Authorisation** :  
**Name of the Bidder** :  
**Address** :

**e-Mail Address** :  
**Mobile Number** :  
**FAX Number** :  
**Telephone Number** :  
**Place** :  
**Date** :