

# **STANDARD TERMS & CONDITIONS (STC) AND GUIDELINES FOR ENLISTMENT OF CONTRACTORS FOR CORPORATE CONTRACTS CONSULTANCY PACKAGES**

## **1.0 DISCLAIMER**

NTPC, reserves the right not to proceed further or to change the process or procedure to be applied. It also reserves the right to decline to discuss further with any applicant applying for enlistment.

## **2.0 INTRODUCTION**

NTPC Limited is the largest power generating company of India. It was incorporated in the year 1975, with the objective of planning, promoting and organizing an integrated development of power stations in India. It has today emerged as an 'Integrated Power Major', with a significant presence in the entire value chain of power generation business. With current generating capacity of more than 65000 MW, NTPC has embarked on plans to become a 1,28,000 MW company by 2032.

To undertake the consultancy packages, NTPC plans to enlist contractors meeting the requirements and willing to be associated with NTPC for its projects/stations.

## **3.0 SCOPE OF ENLISTMENT**

NTPC is in the process of online enlistment of contractors for consultancy works for its projects and stations. Pan NTPC Enlistment of consultancy packages for following categories are proposed.

- (A) CCG-01 : Environmental Impact Assessment (EIA) Studies Of Coal / Gas Based Thermal Power
- (B) CCG-02: Projects Environmental Impact Assessment (EIA) Studies of Coal Mining Projects
- (C) CCG-03: Construction of Geopolymer Concrete Road at NTPC Projects/Stations(Category -1)
- (D) CCG-04: Construction of Geopolymer Concrete Road at NTPC Projects/Stations(Category -2)

The intent of this enlistment is to identify and enlist prospective vendors / contractors who meet Technical Qualifying Requirements envisaged and financial parameters as mentioned for the respective consultancy group. This enlistment will be applicable for all NTPC projects / Stations. Vendor enlistment process in NTPC is a continuous process with the option to add / delete/ modify any Corporate Contracts Consultancy Enlistment Group (CCG) at any time without any prior notice. Similarly, any vendor desirous to get their names enlisted/ updated themselves in the approved list; they can do so at any time. However, such request shall be evaluated in the subsequent cycle only.

## **4.0 STANDARD TERMS & CONDITIONS (STC) FOR ENLISTMENT OF CORPORATE CONTRACTS CONSULTANCY PACKAGES**

This document will be applicable for enlistment of contractors for consultancy packages as mentioned above,, as per the requirement of various stations of NTPC. The document explains the details regarding the modality and terms & conditions for enlistment.

## **5.0 HOW TO APPLY FOR ENLISTMENT**

Interested potential vendors / contractors are advised to visit the website [www.vendor.ntpc.co.in/enlistment](http://www.vendor.ntpc.co.in/enlistment) to update them and apply online for the respective Corporate Contracts Consultancy Enlistment Group(CCG) to meet the Technical Qualifying Requirement and financial parameters mentioned against this CEG. Interested vendors are to apply and upload / submit ONLY ONLINE the relevant documents

(credentials) as required for enlistment against this CCG. No fee is required to be paid for enlistment. No offline application would be entertained by NTPC.

## **6.0 UPLOADING CCG & PUBLICITY**

The Contracts Consultancy Enlistment Group(CCG) for with relevant details as mentioned above shall be updated on our website [www.vendor.ntpc.co.in/enlistment](http://www.vendor.ntpc.co.in/enlistment). NTPC Corporate Contracts will publish the notice inviting application for enlistment of CEG on websites [www.vendor.ntpc.co.in/enlistment](http://www.vendor.ntpc.co.in/enlistment) and [www.ntpctender.com](http://www.ntpctender.com)

## **7.0 INSTRUCTION FOR APPLYING ONLINE**

Interested vendors may open the website ([www.vendor.ntpc.co.in/enlistment](http://www.vendor.ntpc.co.in/enlistment)) and register themselves for enlistment by filling registration form online. System generated e-mail shall be sent to the vendor giving ID & password for authentication & activation. Vendors shall log in to the website with this ID and password. After log in, the system shall ask for change of password, ID remaining same. Vendors, in their own interest should change the password. After log in, the page opened shall show the details required which should be correctly filled in. It is required that the Xerox copy of the original document of the relevant credential shall be self-attested by the authorized signatory with company seal, scanned and uploaded in "PDF form" as per the instructions shown on the page. Star (\*) marked fields are mandatory.

## **8.0 INFORMATION REQUIRED AS PART OF APPLICATION FOR ENLISTMENT**

Applicants are required to submit the information along with their supporting documents/ certificates in the attached formats as sought in the schedules captured in online application form.

Throughout these enlistment documents, the term "Eligibility Criteria" and "Qualifying Requirements" appearing anywhere in the documents shall have the same meaning and are synonymous to each other.

The information furnished with the application for enlistment must be sufficient for processing and assessment of the applicant

### **Documents to be submitted in this Enlistment**

Please ensure that before starting "online filling of data and uploading documents" all the documents to be uploaded from the list (given below) are converted in PDF form and separate PDF file of each document are readily available. This will help to complete the document uploading without any trouble.

1. Certificate of registration
2. Permanent Account No (PAN) Copy of PAN card
3. GST Registration -GST registration certificate
4. MSME/SSI/NSIC unit - SSI/NSI/MSME/ Udyog Adhar/ Udyam Adhar certificate as applicable.
5. ISO certificate- ISO9000, ISO 14000, ISO18500, SA8000 Certification to be confirmed. Copy of relevant Certificate to be uploaded
6. EFT Form.
7. PF number- Certificate of PF number
8. For annual turnover and net worth data -Copy of Profit & Loss Account & Balance Sheet for last three preceding years. Audited balance sheets and related annexures of the last three completed financial years to be furnished. In case the audited documents are not ready/available, then certified copy by a registered practicing-chartered accountant may be submitted.
9. For experience - Copies of Purchase orders/ work orders as mentioned in the eligibility criteria, execution proof like execution certificate/ completion certificate/ certified RA bills / any other document etc. indicating PO No, execution value, period of contract etc
10. Date of incorporation- to be mentioned and certificate of incorporation to be uploaded.
11. Change of entity of organization: Details to be filled and uploaded.
12. Type of company: Proprietorship, partnership etc to be selected.

13. Qualifying Requirement specific supporting documents
14. Information/ declaration pertaining to various schedules of the respective enlistment group.

## **9.0 SUBMISSION OF APPLICATION FOR ENLISTMENT**

- (a) The work orders furnished online in the Purchase Order fields in the portal and the reference works mentioned by the applicant in relevant schedule of their online application towards fulfillment of specific eligibility criteria by the applicant, shall be considered for evaluation /establishing compliance to the technical eligibility criteria as specified at Annexure-I to the enlistment documents.

Along with the above documents, applicants will also be required to furnish their audited financial statements along with all its annexure as per Qualifying requirement.

- (b) No change or substitution in respect of reference works, as specified, by new/additional works for meeting the specified eligibility criteria shall be offered by the applicant after the bid submission time.
- (c) Power of Attorney duly notarized by a notary public indicating that the person(s) signing the application has/have the authority to sign the application and the application is binding upon the applicant during the full period of its validity backed by a copy of board resolution/other relevant documents to demonstrate the authority of the person issuing the power of attorney to be furnished along with the application.

Power of attorney to the authorised signatory of the applicant for signing of application, to be submitted along with application and should be dated not later than the date of signing the application.

The Applicant shall submit digitally signed 'Power of Attorney 'duly authorized for the person signing & submitting the application on behalf of the applicant and the 'Letter of Undertaking' by the person authorized in POA. The aforesaid 'Power of Attorney' and 'Letter of Undertaking' shall be submitted online along with the application.

Postal Address :

DGM (CS-P&S) / Manager (CS-P&S)

NTPC LIMITED.

6th Floor, Engineering Office Complex, Plot No.A-8A,

Sector -24, Noida – 201 301

Distt. Gautam Budh Nagar, State of U.P., INDIA,

Phone Nos: 0120-4946665/6667

Email: [abhishekjain02@ntpc.co.in](mailto:abhishekjain02@ntpc.co.in), [vipinsharma01@ntpc.co.in](mailto:vipinsharma01@ntpc.co.in)

Websites: [www.vendor.ntpc.co.in/enlistment](http://www.vendor.ntpc.co.in/enlistment) and [www.ntpctender.com](http://www.ntpctender.com)

### **d) Signing of the Application**

The application for enlistment along with all supporting documents/ annexure/ attachments shall be certified by a person duly authorized to sign and submit the application for enlistment. The authorization shall be supported by digitally signed Power of Attorney as mentioned above and shall be submitted online along with application.

## **10.0 CUT OFF DATE TO APPLY FOR ENLISTMENT**

The cut-off date for submission of completed application as mentioned in this notification only for the within the first cycle need to apply online within this cut-off date. All applications received till the cut-off date (in the first enlistment process) shall be considered for enlistment. Application submitted after this date shall not be considered for first cycle of evaluation. All applications received within stipulated this cut-off date will be evaluated within next six months progressively. After the completion of initial vendor enlistment of

respective consultancy packages, the enlistment process shall again be re-opened after a period of 6 months and shall be kept open forever so that all the new vendors who could not participate in the enlistment process can participate and submit their application for enlistment at any time.

Vendor should ensure that only relevant documents are uploaded. Vendor will be free to modify the given input / upload document till the cut-off date and time. After the cut-off date and time for any particular evaluation cycle, vendor will not be permitted for any such change. However, in case any change is needed, vendor may re-submit / modify the same for evaluation in subsequent cycle only. In case, during evaluation of credentials, if any additional or relevant documents is required by NTPC, the same should be furnished by e-mail attaching scanned copy of documents duly signed & stamped by the authorized person. Vendors should make sure that the submission of application is completed well in advance to avoid last minute rush.

## **11.0 DECLARATION OF REFERENCE WORKS**

The reference works which are uploaded online in the purchase order fields of vendor enlistment portal and whose details are declared online as per the specified formats in the relevant Schedule shall only be considered to ascertain the applicant's compliance to the specified eligibility criteria. However, the Applicants are not permitted to quote more than three (3) times the number of reference works as specified in the Qualifying Requirements.

The employer at its discretion may seek any clarification and/or documentary evidence only for the reference works as mentioned above. However, no change or substitution of the reference works by new/additional works for conforming to the specified eligibility criteria shall be sought, offered or permitted.

Applicants are required to furnish the details of the reference works as per format as available in respective form as per the enlistment documents and enclose relevant document like copies of authentic work order, client's completion certificate / project authority certificate as applicable, contract agreements etc. supporting the details/data provided in the format. No claim without supporting documents shall be accepted in this regard. However, if any of the reference work pertains to the contract(s) /works executed by applicant for NTPC in the past, then in respect of such contract(s) /works, applicant shall not be required to enclose client certificate(s) along with its application.

All costs incurred by applicant for preparing and submitting the application for enlistment, in providing clarification or any other expenses whatsoever shall be borne by applicants themselves.

This enlistment document is not transferable.

The language for submission of application for enlistment shall be English. The units of measurement shall be metric systems of measures, unless otherwise specified elsewhere.

Financial data should be given in Indian rupees only.

The information should be provided in the application form in line with the information sought shall be filled in completely and wherever not applicable it should be written as "Not Applicable". Applicants should furnish the required information and desist from writing "**shall be furnished later**" or submitting the blank form.

In case the applicant intends to give additional information for which specified space in the given format is not sufficient, it can be furnished in additional information section.

**11.A** NTPC shall evaluate the credentials uploaded by the applicant to determine as to whether technical aspects and financial requirements are in accordance with the Qualifying Requirements (QR). Subsequently, at the sole discretion of NTPC, physical assessment of establishment (s)/ verification of document (s)/ may also be carried out, if felt necessary by NTPC. Vendor should not have any objection to such physical assessment / verification etc. All technically qualified vendors who meet financial criteria shall be enlisted against respective Corporate Contracts Consultancy Enlistment Group (CCG).

The decision of NTPC LIMITED in this regard shall be final and binding. NTPC shall evaluate only those cases which are complete in all respects and which are prima-facie found to be qualified based on the responses given. Any incomplete request or deficiency of document(s) will run the risk of rejection. In the process of vendor enlistment, NTPC may seek additional information/ clarification and vendor must be ready to furnish promptly any such information, so asked for. Any vendor currently under BIFR or banned / blacklisted on Pan NTPC basis shall not be considered for enlistment. However, such vendors may be considered for enlistment only after expiry of the banning / blacklisting period. If any vendor is debarred / banned in participating any tender originating from any particular station/ region of NTPC shall continue to remain debarred/banned for that station/ region even after enlistment on PAN NTPC basis, till expiry of period or else banning order is revoked by concerned station/ region.

For the vendors shortlisted by the respective evaluation committee, at the sole discretion of NTPC, physical assessment of establishment (s)/ verification of document (s)/ may also be carried out, if felt necessary by NTPC. Vendor should not have any objection to such physical assessment / verification etc. The observations/ finding of the assessment committee should also be signed by the vendor being assessed.

## **12.0 CLARIFICATION ON APPLICATION FOR ENLISTMENT**

During the period when the applications are under consideration, applicants are advised to refrain from contacting by any means, the employer and /or his employees/representatives on matters related to the applications under consideration. Any effort by an applicant to influence the employer's processing of applications or enlistment will result in rejection of the applicant's application for enlistment.

During the evaluation of the applications, the employer may, at its discretion, ask the applicant for clarifications to the application including documentary evidence pertaining to the reference works declared in the application for the purpose of meeting eligibility criteria specified or any other document mentioned in the bid document. The request for clarification and the response shall be in writing and no change in the substance of the application including substitution of reference works in the application by new/additional works for conforming to eligibility criteria shall be sought, offered or permitted.

A prospective Applicant requiring any clarification to the Enlistment documents may notify the Employer through e-mail at the Employer's address indicated at para 5.1 above latest by date specified at para 9.0. Any request for clarification received after the date specified before last date of submission of application will not be entertained.

## **15.0 MODIFICATION, SUBSTITUTION AND WITHDRAWAL OF APPLICATION FOR ENLISTMENT**

The Applicant may modify, substitute or withdraw his original Application for Enlistment after its submission, but in any case before the specified deadline for submission. For doing so, a corresponding written notice of the modification or substitution or withdrawal has to be submitted by the Applicant to the Employer prior to the last date notified for receipt of the Applications.

No application shall be modified, substituted or withdrawn by the applicant after it has been uploaded in the website.

Any information / data furnished by the applicant found to be incorrect or false or misleading at any point of time would render him liable to be debarred from the enlistment / tendering / taking up of work in NTPC.

NTPC reserves the right to cross check and confirm the information details furnished by the applicant.

No Joint Venture or Consortium of firms shall be allowed to apply for the Enlistment.

Depending upon unit size and number of units, the tendered quantity of various works may vary. Irrespective of the tendered quantities of project specific packages, the applicants have to meet the qualifying parameters given in the enclosed eligibility criteria and financial parameters given in the enlistment document.

The applicant shall strictly adhere to the fraud prevention policy of NTPC displayed on its tender website <http://www.ntpctender.com> and shall immediately apprise the employer about any fraud or suspected fraud as soon as it comes to their notice. (A certificate to this effect shall be furnished by the applicant along with his application as per the format enclosed).

Applicant to furnish Audited Annual Reports and its annexure and Profit & Loss statement of last 03 (three) financial years along with its application as per extended last date for receipt of complete application for enlistment.

## 16.0 SCHEDULE

A summary of the proposed schedule for application for enlistment is shown below. NTPC reserves the right to amend the enlistment process and amend the schedule at any stage.

EVENT	DATE
Last date for submission of application	30.11.2021

**NOTE: The online application system will not allow submission of application after the respective specified expiry date and time. Applicants are advised to make sure that the submission of application is completed well in advance of the time specified.**

## 17.0 EVALUATION CRITERIA FOR ENLISTMENT

For the purpose of enlistment, applicants shall be evaluated on the basis of stipulated technical eligibility criteria and financial requirements. The reference works whose detail have been declared in the vendor enlistment portal and as per the specified format in the schedules with relevant documents like copies of authentic work order, client's completion certificate / project authority certificate as applicable, contract agreement etc. shall only be considered to ascertain the applicant's compliance to the specified eligibility criteria. However, if any of the reference work pertains to the contract(s)/works executed by applicant for NTPC in the past, then in respect of such contract(s) /works, applicant shall not be required to enclose client certificate(s) along with its application. The reference works which are uploaded online in the purchase order fields and whose details are declared online as per the specified formats in the relevant schedules shall only be considered to ascertain the applicant's compliance to the specified eligibility criteria.

Notwithstanding anything stated above, the Employer reserves the right to verify any information/documents furnished, inspect the works carried out by the Applicant and also to undertake a physical assessment of the capacity and capability of the Applicant/his collaborator/subsidiaries/group companies to perform the contract, should the circumstances warrant such assessment in the overall interest of the Employer.

The physical assessment shall include but not be limited to the assessment of the office/facilities/reference works by the Employer. A negative determination of such assessment of capacity and capabilities may result in the rejection of the Application.

The above right to undertake the physical assessment shall be applicable for the qualifying requirements stipulated in the Enlistment documents

Even though an applicant may satisfy the above requirements, he would be liable to disqualification if he has made misleading or false representation or deliberately suppress the information in the forms, statements and enclosures required in the application for enlistment.

Applicants have to apply for the category(ies) for which they want to get enlisted for the consultancy group as per the enlistment documents and shall be evaluated only for those category(ies) for which they have applied.

## **18.0 Selection of Enlisted vendors for issuing tender enquiry:**

Enlistment will be done based on their *qualification against technical eligibility criteria and financial parameters mentioned at para 11.A above.*

The vendors are asked to upload and furnish details of work orders under both the categories during last seven years reckoned as on last date notified for receipt of application for enlistment to meet eligibility criteria along with financial requirements of last three years. Based on these data, the Category for which the vendor will qualify shall be established and maintained as data base against each qualified vendor in the enlistment master.

Applicants will also be required to furnish and upload their audited financial statements along with all the annexure and Profit Lost Account statement as per respective enlistment group eligibility criteria.

## **19.0 CONDITION OF CANCELLATION OF ENLISTED AGENCIES**

The Enlistment of agencies shall be cancelled by NTPC in case of their poor performance, abandoning of allotted work, delay in completion of work and handing over of fronts to other agencies, bankruptcy and activities detrimental to the interest of NTPC. The decision of NTPC in this regard shall be final and binding on the agency.

In case of change of name of the enlisted vendor without change of constitution/partners, the same shall be intimated along with proof of such change to NTPC immediately but in no case later than thirty (30) days from the date of such change, failing which the enlistment of agency/contractor by that name shall be cancelled.

The performance of the contractors shall be reviewed periodically based on the feedback given by the Head of Station.

For this, in case of unsatisfactory performance of the enlisted vendors, Head of Station shall send a detailed report about their poor performance in supply of materials/ execution of works with clear recommendation for taking action against them.

If any of the enlisted vendor is found to have been involved in any fraudulent activities like submission of fake credentials/ documents/ information as defined in NTPC Fraud Prevention Policy/ Banning Policy during pre-award/ award/ execution stage, action in line with the said policy shall be taken.

## **20.0 HALF YEARLY REVIEW & UPDATION OF VENDOR ENLISTMENT:**

After the completion of initial vendor enlistment of consultancy works package as mentioned above, the enlistment process shall again be re-opened after a period of 6 months and shall be kept open forever so that all the new vendors who could not participate in the enlistment process can participate and submit their application for enlistment at any time.

*New vendors, if found qualified shall be recommended for inclusion in the enlisted vendor's list in line with the aforesaid procedure. These new vendors will also be enlisted for a period of 3 years from the date of enlistment.*

**Already enlisted vendors:** Already enlisted vendors need not apply again as they are enlisted for a period of 3 years. Before completion of three (3) years, already enlisted vendors can apply with their revised credentials for enlistment for a further period of three (3) years. In such case, evaluation shall be done based on the revised credentials during the last seven years (execution) / three financial years (average annual turnover) as

applicable from the date of application.

If their revised credentials are found to be in order by the standing committee for evaluation, their enlistment shall be upgraded /extended accordingly in line with the procedure defined above. Their enlistment shall be valid for three years from this date of enlistment.

In this way enlistment process shall be continuous.

## **21.0 PERIOD OF ENLISTMENT**

This enlistment shall be valid for a period of Three (03) years from the date of Enlistment.

## **22.0 RIGHT TO ACCEPT OR REJECT APPLICATION**

Notwithstanding anything contained in this enlistment document, NTPC reserves the right to accept or reject any application and annul the process and reject all applications at any time without any liability or any obligation for such acceptance, rejection or annulment without assigning any reasons.

Applicant may note that mere submission of filled in application for enlistment and/or submission of additional information do not automatically entitle him to claim for enlistment. NTPC at its sole discretion may re-invite or modify or annul the process without assigning any reason whatsoever.

Employer' means 'NTPC Limited' and includes legal Successors or permitted assigns of the Employer.

Notwithstanding anything stated above, the employer reserves the right to assess capabilities and capacity of the applicant / its collaborators/ associates / subsidiaries / group companies to perform the contract, should the circumstances warrant such assessment in the overall interest of the employer.

## **23.0 SUBCONTRACTING PROVISION FOR WORKS PACKAGES**

The enlisted contractor shall only be given the award based on evaluation of the bids. Generally subcontracting of the work will not be permitted for site awarded works packages.

If any subcontractor is found executing the contract awarded to the enlisted contractor without approval of NTPC, action against the enlisted contractor will be taken for withholding/ banning of business dealings as per NTPC Policy.

## **24.0 FRAUD PREVENTION POLICY**

Provisions of Fraud Prevention policy shall apply for the enlistments being done. The applicant shall strictly adhere to the Fraud Prevention policy of NTPC which is available on **the home page of our web site** [www.vendor.ntpc.co.in](http://www.vendor.ntpc.co.in)

## **25.0 BANNING POLICY**

The banning policy of NTPC available on **the home page of our web site** [www.vendor.ntpc.co.in](http://www.vendor.ntpc.co.in) shall be applicable