

## **Special instructions to Bidders for e-Tendering [ie Electronic Bidding Instructions (EBI)]**

### **General**

The Special Instructions (for e-Tendering) supplement 'Instruction to Bidders', as given in these Tender Documents. Submission of Online Bids is mandatory for this Tender.

E-Tendering is a new methodology for conducting Public Procurement in a transparent and secured manner. Now, the Government of India has made e-tendering mandatory. Suppliers/Vendors will be the biggest beneficiaries of this new system of procurement. For conducting electronic tendering, NVVN has decided to use the portal <https://www.bharat-electronictender.com> through ISN ElectronicTender Services Private Limited (referred as ISN-ETS). This portal is based on the world's most 'secure' and 'user friendly' software from ElectronicTender®. A portal built using ElectronicTender's software is also referred to as ElectronicTender System® (ETS).

Benefits to Suppliers are outlined on the Homepage of the portal.

### **Instructions**

#### **Note on ETS BD-CR:**

In order to participate in this Tender, each Bidder would have to deposit towards 'Application Charges for Bidders' an amount equal to Rs 200/MW (Excluding GST) with the Service Provider of Bharat-Electronic Tender Portal [ETS], ie ISN Electronic Tender Services Pvt Ltd (ISN-ETS), as per instructions given on ETS. In ETS, this amount is referred to as 'ETS Bidding-Deposit Conditionally Refundable (ETS BD-CR)' and is calculated @ Rs. 200/- per MW plus GST for the Capacity for which the bidder is submitting the quote.

The amount can be paid online through the following methods:

1. SBI Payment Gateway facility available on ETS portal
2. NEFT/RTGS to the following account:

Beneficiary Name: **ISN Electronic Tender Services Pvt. Ltd.**

A/C No.: **661405601452**

Branch: **ICICI Bank, Central Arcade, DLF City, Phase-II, Gurgaon - 122002**

IFSC Code: **ICIC0006614**

Account Type: **Current Account**

On the 'Date of Bid Finalization', ie the date on which written communication is received by the Service/ Portal Provider of ETS from the Buyer Organization/ Auctioneer (ie NVVN LTD.) about the successful/ unsuccessful Bidders, ETS BD-CR amount corresponding to the quantity allocated/ awarded to that successful Bidder will be retained by the Service/ Portal provider of ETS and treated as 'ETS Bidding-Fee' (including GST), and the balance amount (without any interest) will be refunded by Service/ Portal Provider.

Similarly, for unsuccessful Bidders, the full ETS BD-CR (without any interest) will be refunded within Seven (7) working days from the date of receipt of written communication by the Service/ Portal Provider of ETS from the Buyer Organization/ Auctioneer (ie NVVN LTD.).

### **Invoicing & TDS deduction after the final outcome of the bidding process/ e-Auction:**

Case-1 (Unsuccessful Bidder): In case the bidder does not win any capacity, the full BD-CR amount shall be refunded and therefore no invoice will be given and will not be subject to TDS.

Case-2 (Successful Bidder): In case the bidder wins a particular capacity, an invoice shall be generated @ 200/MW plus GST. The applicable TDS will be calculated on the invoice amount and ETS portal Service Provider shall then deposit this TDS amount on behalf of the bidder and share a copy of the deposit challan. Subsequently, the remaining BD-CR balance shall be refunded, if any.

Note: The bidder must email a copy of the transaction summary and TAN Number to support@isn-ets.com with the "Subject: 'Bidders Name' - Payment for NVVN Ltd Tender ETS-BDCR"

### **Tender Bidding Methodology:**

#### Sealed Bid System

- *Single Stage Two Envelope*

#### Auction

*The sealed bid system would be followed by an 'e-ReverseAuction'*

### **Broad Outline of Activities from Bidder's Perspective:**

1. Procure a Class-III Digital Signing Certificate (DSC)
2. Register on ElectronicTender System® (ETS)
3. Create Marketing Authorities (MAs), Users and assign roles on ETS. It is mandatory to create at least one MA.
4. View Notice Inviting Tender (NIT) on ETS
5. For this tender -- Assign Tender Search Code (TSC) to an MA
6. Download Official Copy of Tender Documents from ETS. Note: Official copy of Tender Documents is distinct from downloading 'Free Copy of Tender Documents'. To participate in a tender, it is mandatory to procure official copy of Tender Documents for that tender.
7. Clarification to Tender Documents on ETS
  - Query to NVVN Limited ( optional)
  - View response to queries posted by *NVVN Limited*
8. Bid-Submission on ETS
9. Post-TOE Clarification on ETS (Optional)
  - Respond to *NVVN* Post-TOE queries
10. Participate in e-Reverse Auction on ETS

For participating in this tender online, the following instructions are to be read carefully. These instructions are **supplemented with more detailed guidelines on the relevant screens of the ETS.**

### **Digital Certificates**

For integrity of data and authenticity/ non-repudiation of electronic records, and to be compliant with IT Act 2000, it is necessary for each user to have a Digital Certificate (DC). also referred to as Digital Signature Certificate (DSC), of Class-III, issued by a Certifying Authority (CA) licensed by Controller of Certifying Authorities (CCA) [refer <http://www.cca.gov.in>].

## Registration

To use the ElectronicTender® portal <https://www.bharat-electronictender.com>, vendors need to register on the portal. Registration of each organization is to be done by one of its senior persons who will be the main person coordinating for the e-tendering activities. In ETS terminology, this person will be referred to as the Super User (SU) of that organization. For further details, please visit the website/portal, and click on the 'Supplier Organization' link under 'Registration' (on the Home Page), and follow further instructions as given on the site, and special instruction given in the RFP in this regard. Pay Annual Registration Fee as applicable.

After successful submission of Registration details and Annual Registration Fee, please contact ISN-ETS/ ETS Helpdesk (as given below), to get your registration accepted/activated

Important Note: To minimize teething problems during the use of ETS (including the Registration process), it is recommended that the user should peruse the instructions given under 'ETS User-Guidance Center' located on ETS Home Page, including instructions for timely registration on ETS. The instructions relating to 'Essential Computer Security Settings for Use of ETS' and 'Important Functionality Checks' should be especially taken into cognizance.

Please note that even after acceptance of your registration by the Service Provider, to respond to a tender you will also require time to complete activities related to your organization, such as creation of users, assigning roles to them, etc.

<b>ISN-ETS/ ETS Helpdesk</b>	
Telephone/ Mobile	<i>Customer Support: +91-124 - 4229071, 4229072 [Between 9:00 am to 6:00 pm IST on all working days]</i>
E-mail ID	<a href="mailto:support@isn-ets.com">support@isn-ets.com</a> <i>[Please mark CC: support@electronictender.com]</i>

<b>NTPC VIDYUT VYAPAR NIGAM Contact</b>	
NVVN Contact Person	<i>Kushank Kumar Sr. Manager(C&amp;M)</i>
Telephone/ Mobile	0120-4948574 <i>[between 9:30 hrs to 18:00 hrs on working days]</i>
E-mail ID	<a href="mailto:nvvncontracts@ntpc.co.in">nvvncontracts@ntpc.co.in</a>

## **Some Bidding related Information for this Tender (Sealed Bid)**

The entire bid-submission would be online on ETS (unless specified for Offline Submissions). Broad outline of submissions are as follows:

- Online Payment of Applicable ETS Bidding-Fee (if applicable)  
*Note: Failure to pay this amount will result in rejection of the bid.*
- Submission of Bid-Parts/ Envelopes
  - Prequalification Application
  - *Technical-Part*
  - *Financial-Part*
- Submission of information pertaining Bid Security/ Earnest Money Deposit (EMD)
- Submission of digitally signed copy of RfS, PPA & Addendums

### **Offline Submissions:**

*The bidder is requested to submit the following documents offline to the under mentioned address before the start of Public Online Tender Opening Event in a Sealed Envelope.*

*Contact Persons Name  
Address*

*The envelope shall bear (the project name), the tender number and the words 'DO NOT OPEN BEFORE' (due date & time).*

1. *Original copy of the Bid Security in the form of a Bank Guarantee.*
2. *DD/ Bankers cheque of Rs ..... drawn in favour of ....., NVVN Limited, payable at New Delhi against payment of Bid Processing Fee.*

*Note: The Bidder should also upload the scanned copies of all the above-mentioned original documents as Bid-Annexures during Online Bid-Submission.*

### **Special Note on Security and Transparency of Bids**

Security related functionality has been rigorously implemented in ETS in a multi-dimensional manner. Starting with 'Acceptance of Registration by the Service Provider', provision for security has been made at various stages in ElectronicTender's software. Specifically, for Bid Submission some security related aspects are outlined below:

As part of the ElectronicEncrypter<sup>®</sup> functionality, the contents of both the 'ElectronicForms<sup>®</sup>' and the 'Main-Bid' are securely encrypted using a Pass-Phrase created by the Bidder himself. Unlike a 'password', a Pass-Phrase can be a multi-word sentence with spaces between words (eg I love this World). A Pass-Phrase is easier to remember, and more difficult to break. It is mandatory that a separate Pass-Phrase be created for each Bid-Part. This method of bid-encryption does not have the security and data-integrity related vulnerabilities which are inherent in e-tendering systems which use Public-Key of the specified officer of a Buyer organization for bid-encryption. Bid-encryption in ETS is such that the Bids cannot be decrypted before the Public Online Tender Opening Event (TOE), even if there is connivance between the concerned tender-opening officers of the Buyer organization and the personnel of e-tendering service provider. This is an

additional reason why a Bidder using ETS need not take the risk of trying to submit his bid near the 'Last Date and Time o Receipt of Bids', and can comfortably do so well in advance.

CAUTION: All bidders must fill ElectronicForms® for each bid-part sincerely and carefully, and avoid any discrepancy between information given in the ElectronicForms® and the corresponding Main-Bid. For transparency, the information submitted by a bidder in the ElectronicForms® is made available to other bidders during the Online Public TOE. If it is found during the Online Public TOE that a bidder has not filled in the complete information in the ElectronicForms®, the TOE officer may make available for downloading the corresponding Main-Bid of that bidder at the risk of the bidder. **If variation is noted between the information contained in the ElectronicForms® and the 'Main-Bid', the contents of the ElectronicForms® shall prevail.**

Typically, 'Pass-Phrase' of the Bid-Part to be opened during a particular Public Online Tender Opening Event (TOE) is furnished online by each bidder during the TOE itself, when demanded by the concerned Tender Opening Officer.

*(Optional Text depending upon the decision of the NVVN Limited):*

Additionally, the bidder shall make sure that the Pass-Phrase to decrypt the relevant Bid-Part is submitted to NVVN Limited Name in a sealed envelope before the start date and time of the Tender Opening Event (TOE).

There is an additional protection with SSL Encryption during transit from the client-end computer of a Supplier organization to the e-tendering server/ portal.

#### **Some Bidding related Information for this Tender (e-ReverseAuction)**

e-ReverseAuction would be conducted after the opening of the Prequalification/ Financial-Part.

The following would be parameters for e-ReverseAuction:

SNo	Parameter	Value
1	Date and Time of Reverse-Auction Bidding Event	Will be intimated to the responsive bidders later.
2	Duration of Reverse-Auction Bidding Event	120 Minutes
3	Automatic extension of the 'Reverse-Auction Closing Time', if last bid received is within a 'Pre-defined Time-Duration' before the 'Reverse-Auction Closing Time'	Yes
3.1	Pre-defined Time-Duration	10 Minutes
3.2	Automatic extension Time-Duration	10 Minutes
4	Criteria of Bid-Acceptance	Bidder can go on decreasing his own bid value without taking into cognizance the starting point or Rank 1 bid.
5	Entity – Start-Price	VCNG quoted by the bidders in financial bid ( Second Envelope)
6	Minimum Bid-Decrement	0.01 Rupees

**Any special instructions to be inserted by the Buyer Organization Name for that particular Auction:**

(Example-1): Only 'n-1' lowest bidders from the Financial-Bid opening round will be invited for e-ReverseAuction ...; Reserve Price for the auction will be the lowest price obtained in the financial-bid round, ...any 'Special Processes incorporated in this **e-ReverseAuction**'.

(Example-2): Similarly, Buyer organization to outline here 'specific rules and criteria' relevant to this particular e-ReverseAuction. If the e-ReverseAuction involves special processes (such as Categorization of bidders, Loading related to Price Preference, VGF, etc), it is recommended that the Buyer organization gives in Tender Documents here an example of the use of rules and criteria. .... etc.

**Other Instructions**

For further instructions, the vendor should visit the homepage of the portal **<https://www.bharat-electronictender.com>**, and go to the **User-Guidance Center**

The help information provided through 'ETS User-Guidance Center' is available in three categories – Users intending to Register / First-Time Users, Logged-in users of Buyer organizations, and Logged-in users of Supplier organizations. Various links (including links for User Manuals) are provided under each of the three categories.

Important Note: It is strongly recommended that all authorized users of Supplier organizations should thoroughly peruse the information provided under the relevant links, and take appropriate action. This will prevent hiccups, and minimize teething problems during the use of ETS.

**SEVEN CRITICAL DO'S AND DON'TS FOR BIDDERS**

Specifically, for Supplier organizations, the following '**SEVEN KEY INSTRUCTIONS for BIDDERS**' must be assiduously adhered to:

1. Obtain individual Digital Signing Certificate (DSC or DC) of Class-III, well in advance of your first tender submission deadline on ETS
2. Register your organization on ETS well in advance of the important deadlines for your first tender on ETS viz 'Date and Time of Closure of Procurement of Tender Documents' and 'Last Date and Time of Receipt of Bids'. Please note that even after acceptance of your registration by the Service Provider, to respond to a tender you will also require time to complete activities related to your organization, such as creation of -- Marketing Authority (MA) [ie a department within the Supplier/ Bidder Organization responsible for responding to tenders], users for one or more such MAs, assigning roles to them, etc. It is mandatory to create at least one MA. This unique feature of creating an MA enhances security and accountability within the Supplier/ Bidder Organization.
3. Get your organization's concerned executives trained on ETS well in advance of your first tender submission deadline on ETS
4. For responding to any particular tender, the tender (ie its Tender Search Code or TSC) has to be assigned to an MA. Further, an 'Official Copy of Tender Documents' should be procured/ downloaded before the expiry of Date and Time of Closure of Procurement of Tender

Documents. Note: Official copy of Tender Documents is distinct from downloading 'Free Copy of Tender Documents'. Official copy of Tender Documents is the equivalent of procuring physical copy of Tender Documents with official receipt in the paper-based manual tendering system.

5. Submit your bids well in advance of tender submission deadline on ETS (There could be last minute problems due to internet timeout, breakdown, et al)

**Note**: Bid-submission in ETS can consist of submission of multiple bid-components, which vary depending upon the situation and requirements of the Buyer. Successful receipt of a bid in an e-tendering scenario takes place if all the required bid-components are successfully 'received and validated' in the system (ETS) within the scheduled date and time of closure of bidding (On some ETS screens, this is also referred to as 'Last Date and Time of Receipt of Bids'). ETS/ Service Provider is not responsible for what happens at an end-user's end, or while a submission made by an end-user is in transit, until the submission is successfully 'received and validated' in ETS. When a bid-component receipt and validation is successful, it is recorded in the ETS Audit Trail Report, which is generated by ETS. In case of any uncertainty, the application audit trail generated by ETS (ETS Audit Trail Report) shall be the final record/evidence for reference regarding the 'successful bid receipt'.

6. It is the responsibility of each bidder to remember and securely store the Pass-Phrase for each Bid-Part submitted by that bidder. In the event of a bidder forgetting the Pass-Phrase before the expiry of deadline for Bid-Submission, facility is provided to the bidder to 'Annul Previous Submission' from the Bid-Submission Overview page and start afresh with new Pass-Phrase(s)
7. ETS will make your bid available for opening during the Online Public Tender Opening Event (TOE) 'ONLY IF' your 'Status pertaining Overall Bid-Submission' is 'Complete'. For your record, you can generate and save a copy of 'Final Submission Receipt'. This receipt can be generated from 'Bid-Submission Overview Page' only if the 'Status pertaining overall Bid-Submission' is 'Complete'.

NOTE:

*While the first three instructions mentioned above are especially relevant to first-time users of ETS, the fourth, fifth, sixth and seventh instructions are relevant at all times.*

#### **Additional DO'S AND DON'TS FOR BIDDERS Participating in e-ReverseAuction**

1. Get your organization's concerned executives trained for e-ReverseAuction related processes on ETS well in advance of the start of e-ReverseAuction.
2. For responding to any particular e-ReverseAuction, the e-ReverseAuction (ie its Reverse Auction Search Code or RASC) has to be assigned to an MA.
3. It is important for each bidder to thoroughly read the 'rules and related criterion' for the e-ReverseAuction as defined by the Buyer organization.

**Note:** To participate in e-ReverseAuction, the ETS Bidding-Fee for e-ReverseAuction should be paid before the 'Date and Time of Start of Reverse-Auction'. In case ETS Bidding-Fee for e-ReverseAuction is sent offline to the Auctioneer or ETS Service Provider, it is important for the bidder to ensure that the Auctioneer/ ETS Service Provider has received the ETS Bidding-Fee for e-ReverseAuction and also entered the related details in ETS. When the Auctioneer/ ETS Service Provider enters the details, the bidder should receive an e-mail acknowledgement. If ETS Bidding-Fee for e-ReverseAuction status of the bidder is not updated as outlined above, the bidder would not be able to participate in the Auction.

4. During an e-auction, it is recommended that a bidder submits a bid well before the scheduled time of 'Date and Time of Closure of Reverse-Auction'. Submission of a bid near the closing time of an auction may result in failure due to any of the various factors at that instant, such as – slow internet speed at the bidder's end, slow running of computer at bidder's end, nervousness of the bidder in the last few seconds, etc. This could lead to delay in submission of data from the bidder's computer to the server. Even if the delay is of a fraction of second after the scheduled closing time, it will result in failure of bid submission. Further, please note that a bid can be submitted even if the bidding-page has not been refreshed manually, or otherwise depending on the conditions of the e-auction.

**Note:** Successful receipt of Bid in an e-auction scenario takes place if the bid is successfully 'received and validated' in the system (ETS) within the scheduled date and time of closure of bidding (On some ETS screens, this is also referred to as 'Date and Time of Closure of Reverse-Auction', or Forward-Auction, as the case may be). End Users shall be solely responsible for ensuring timely submission of their respective bids such that the bids are successfully received in ETS as stated above. ETS/ Service Provider is not responsible for what happens at an end-user's end, or while a submission made by an end-user is in transit, until the submission is successfully 'received and validated' in ETS. When a bid is successfully 'received and validated', it is recorded in the ETS Audit Trail Report, which is generated by ETS. In case of any uncertainty, the application audit trail generated by ETS (ETS Audit Trail Report) shall be the final record/evidence for reference regarding the 'successful bid receipt'.

5. It is important to digitally-sign your 'Final bid' after the end of e-ReverseAuction bidding event.

#### **Minimum Requirements at Bidder's End**

Computer System having configuration with minimum Windows 7 or above, and Broadband connectivity

Microsoft Internet Explorer 7.0 or above, or Edge with Internet Explorer mode

Digital Certificate(s)