


SECTION-1 PART A

DETAILED NOTICE INVITING TENDER (DNIT)

	BHARAT SANCHAR NIGAM LIMITED (A GOVT. OF INDIA ENTERPRISE) OFFICE OF THE CHIEF GENERAL MANAGER TELECOM., U.P.(EAST) CIRCLE, 3rd FLOOR, DOOR SANCHAR SADAN, LAPLACE, SHAHNAJAF ROAD, LUCKNOW-226001.
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Digitally sealed Tender are invited for and **on the behalf of BHARAT SANCHAR NIGAM LIMITED BY** Chief General Manager UP(East) Telecom Circle, for “ **the work of providing earthing/reconditioning earthing system for improvement of Earth resistance value & lightning arrester and its associated work at Various BTS & Exchange Sites in Uttar Pradesh East Telecom circle**”, as defined in Scope of work in Single Stage Bidding and Two stage Opening using two Electronic Envelopes [Techno-Commercial (Qualifying Bid) & Financial Bid] for and on behalf of BSNL , for the following works:

Sl. No.	Packages	Business Area	Tentative No. of Sites/Locations	Item/Work	Total Estimate Cost (inclusive of GST) (in Rs.)	EMD (in Rs.) @2% of Total Estimated Cost
A	B	C	D	E	F	G=2% of F
9	Package-IX	Sultanpur (Jaunpur, Pratapgarh, Raebareli & Sultanpur OA)	216	The work of providing earthing/reconditioning earthing system for improvement of Earth resistance value & lightning arrester and its associated work at Various BTS & Exchange Sites	2153972.00	43,080.00
TOTAL			216		2153972.00	43,080.00

Note 1 : Bidding & Evaluation of the tender will be on individual package basis for above estimated quantities as per price offered in the financial bid. Any bidder may bid in for the tendered package however tender award will be restricted to Three Packages inclusive of the award of work in the preceding tender MM/UP(E)/CM/Earthing Work/2023-24/ dt 24/11/2023 (Tender id 2023_BSNL_175580_1) of this office, to the L-1 Bidders,

Note 1(a): The tendered work is intended to be completed within three months period by the bidder from the date of signing of agreement. Accordingly bidders are advised to duly assess their capability and capacity to complete the work within stipulated time frame.

Note 2 : The quantities stated are estimated and BSNL reserves the right to vary the quantity to the extent of $\pm 25\%$ of specified quantity at the time of award of the contract i.e. APO without any change in unit price or other terms & conditions.

Note 3 : 25% of the Estimated Quantity against this tender Enquiry is earmarked for procurement from the eligible Micro and Small Enterprises (MSEs) bidder registered for tendered work/service and be distributed as per Table 1(B) read with relevant clauses of Section-4 Part-B. However, in case eligible MSE bidder(s) are not available then this quantity would be de-reserved & procured from other eligible bidder(s).

Note 4 : MSE bidders are required to update their Udyam Registration on the CPP Portal, for availing the benefits on CPPP e-tender system under the Public Procurement Policy for MSE, such as 25% MSE Purchase preference and preference (non-elimination in e-RA, if H1 etc.) during e-RA (electronic reverse auction). It should broadly cover the **items/services** offered in tender. If a bidder does not update on CPPP, only he will be deprived of benefits to MSEs on CPPP system.

It may be noted that exemption will not be granted to MSE bidder if traded items/services are offered and exemption shall be considered only if the offered items/services are being manufactured/rendered by the MSE bidder themselves.

Note5: Procurement under this tender would be in accordance with 'Public procurement (Preference to Make in India) Order 2017' notified by Government of India & its subsequent amendments, guidelines etc. for Preference to Make in India products."

1.0 Purchase of Tender Document: For e-bidding process, Tender document is to be downloaded by Bidders from Central Public Procurement portal i.e. <https://etenders.gov.in/eprocure/app> as a part of process of bid submission on Central Public Procurement portal.

1.1 The bidders downloading the tender document are required to submit the tender fee of INR 590/- (inclusive of GST@18%) through FDR/DD/ Banker's cheque/ RTGS/NEFT along with their tender bid failing which the tender bid shall be left archived unopened/ rejected.

1.2 The FDR/DD/ banker's cheque shall be drawn from any Nationalized/ Scheduled Bank only in favour of "AO(Cash), BSNL, O/o CGMT, U.P.(East) Telecom Circle, Hazratganj, Lucknow-226001" and payable at "Lucknow".

1.3 RTGS/NEFT may be done to Bank of Baroda A/c no.: 31870200000363 with IFSC code: BARB0LDALUC in the name of AO CLAIM BSNL RTTC Lucknow. Bank transaction acknowledgement will be emailed on email id's: aoclaimscgmt@gmail.com and agmmm2upe@gmail.com. The copy of the same may also be uploaded on e-tender website.

2.0 MSE (Micro & Small Enterprise) bidders are exempted from payment of Tender Fee provided they submit current and valid Udyam Registration Certificate issued from the Ministry of MSME for the tendered items manufactured/produced and services rendered by Micro and Small Enterprises. Udyam Registration Certificate must be current & valid to prove that they are either Micro or Small Enterprise on the date of opening of technical bid part, if exemption from tender fee is claimed. These exemptions are not applicable for Medium Scale Units.

3.0 Availability of Tender Document: The tender document shall be available for downloading from 27/01/2024, 18:00 Hrs onwards up to (17/02/2024) 17:00 hrs on CPP portal.

3.1 BSNL has decided to use process of e-tendering for inviting this tender and thus the **physical copy of the tender document would not be available for sale.**

3.2 Sale of Tender Document: **Not Applicable.**

4.0 ELIGIBILITY CONDITIONS:

- Bidders having following qualifications /meeting criteria can participate in the tender. They have to upload copies of the following documents with the tender form:
- 4.1** The Bidder shall be a company registered in India under the companies Act 1956/ 2013 or a partnership firm/proprietorship firm registered in India(Proof documents – Valid Registration Certificate of ROC for Registered Companies/An affidavit for sole Proprietorship for Proprietorship firm /Registered Partnership deed for partnership firm)
- 4.2** **Bidder’s must be Class-I Local supplier in pursuance to Department for Promotion of Industry and Internal Trade order no: P-45021/2/2017-PP (BE-II) dt 16/09/2020 and DOT letter no: 18-10/2017-IP dt 29.08.2018 with minimum local content 50% for tendered item. (Proof document- Self Certification as format Section-7(L) or Certificate as per clause 3.5(b) Section-4 Part B as the case may be)**
- 4.3** **Complies the restrictions under Rule 144(xi) of the General Financial Rules (GFRs) 2017 which are detailed in Appendix-1 to Section-1 Part A (Proof document- Under taking as per Section 7 (G) else registration certificate issued by competent authority as per Appendix 1 of Section 1 Part A, as per applicability)**
- 4.4** **The Bidder should have valid registration with the ESI Corporation under ESI Act and should have been allotted with a Code Number by the ESIC. (Proof documents - Valid registration certificate with code number from ESIC).**
- 4.5 The Bidder should have valid registration with the EPFO under EPF & Miscellaneous Provisions Act 1952 and should have been allotted Registration number (Proof documents- Valid registration certificate with code number from EPFO).
- 4.6 The Bidder should have valid Income Tax PAN and should be submitting IT returns for last year such as 2021-2022 or 2022-23 (Proof documents- copy of valid PAN card and IT return acknowledgement copy)
- 4.7 Valid Goods and Service Tax (GST) registration Certificate of the bidding Firm/Company with self declaration on company letter head that bidder is not black listed by GST authorities and in case bidder gets blacklisted by GST authorities during the tenure of contract with BSNL, bidder indemnifies BSNL from any monetary loss caused due such blacklisting i.e. Loss of input credit claim etc and ensures that such loss will be paid to BSNL by the Service provider (Proof documents -Valid GST registration certificate number or exemption certificate with DECLARATION BY BIDDER ON COMPANY LETTER HEAD IN RESPECT OF BLACKLISTING BY GST AUTHORITIES in the format given in Section-7 (H) of Bid Document)
- 4.8 The Bidder shall have the package-wise average annual turnover of 30% of the estimated cost for that package of the tender in last three financial years (i.e. either 2019-20, 2020-21 & 2021-22 or 2020-21, 2021-22 and 2022-23).
- 4.8.1 In case the bid is submitted for more than one package and upto three packages, then the average annual turnover of the bidder in last three financial years (i.e. either 2019-20, 2020-21 & 2021-22 or 2020-21, 2021-22 and 2022-23) should be 30% of the total estimated cost of the packages for which bidder is participating.
- 4.8.2 In case the bid is submitted for more than three Packages, then the average annual turnover of the bidder in last three financial years (i.e. either 2019-20, 2020-21 & 2021-22 or 2020-21, 2021-22 and 2022-23) should be 30% of the total estimated cost of the three highest packages among which the bidder is participating.
(Proof documents- shall enclose the Annual turnover certificate issued by Chartered Accountant (CA) and Profit & Loss statement duly certified by the CA/company auditors.)
- 4.9 The Bidder(s) should not have been black-listed/debarred by Central/ State governments/UT/ PSUs at the time of submission of bid (Proof documents- Declaration by bidders Not de-bar/Blacklisted as per format of Section-7 (J))
- 4.10 Experience of having successfully completed works related to Provision of Earthing in Telephone Exchanges / BTS or similar work during last seven (7) years plus the subsequent period ending the month preceding the one in which NIT issued from reputed organizations like **BSNL, MTNL, DOT,**

or State/Central Government departments/PSUs/Private Telecom Operators/Telecom Infra Provider as given below:-

4.10.1 Three similar completed works costing not less than the amount equal to 40% of the estimated cost of package for which bidder is quoting.

Or

4.10.2 Two similar completed works costing not less than an amount equal to 50% of the estimated cost of package for which bidder is quoting.

Or

4.10.3 One similar completed work costing not less than the amount equal to 80% of the estimated cost of package for which bidder is quoting.

Or

4.10.4 The RDSO approved Chemical earthing Original Equipment Manufacturer. The letter of approval from RDSO has to be provided by the OEM.

In the above said criteria Similar works are termed as below:

1. Provision of Electrical earth or Telecom earth.
2. Works of Installation & Commissioning of Telecom equipments.
3. Construction of Telecom towers

(Proof documents- Copy of relevant purchase/work order(s) along with successful completion certificate(s) by service purchasing organization or letter of approval from RDSO in case of RDSO Vendor. Bidder is to submit SUMMARY OF EXPERIENCE CERTIFICATE IN EXCEL FORMAT as proforma given in Section-7D)

Note 6:A bidder may also use the credentials of the original/parent entity of the bidder from which it has been demerged and come into existence, to meet the turnover and/or experience eligibility criteria of the tender. However the maximum time period for claiming the credentials of original/parent entity, for meeting aforesaid eligibility requirements, shall be 5 years from date of demerger. A, requisite proof of demerger from original/parent entity shall have to be submitted to claim the credentials of original/parent entity

5 Bid Security/EMD:

5.1 The bidder shall furnish the bid EMD in one of the following ways:-

- (a) Demand Draft/ Banker's cheque drawn in favour of "AO (Cash), BSNL, O/o CGMT, U.P.(East) Telecom Circle, Hazratganj, Lucknow" and payable at "Lucknow" either separately for each type of tendered item or total for all types of tendered items.
- b) Bank Guarantee/Fixed Deposit from a scheduled bank drawn in favour of "CGM, BSNL, U.P.(East) Telecom Circle, Lucknow" which should be valid for 180 days from the tender opening date, either separately for each type of tendered item or total for all types of tendered items.
- c) Through RTGS/NEFT to Bank of Baroda A/c no: 31870200000363 with IFSC code. BARB0LDALUC in the name of AO CLAIM BSNL RTTC Lucknow either separately for each type of tendered item or total for all types of tendered items. Bank transaction acknowledgement will be emailed on email id's:aoclaimscgmt@gmail.com andagmmm2upe@gmail.com.
- d) Insurance Surety Bonds from Insurance Company registered under Insurance Act 1938 & its subsequent amendments, guidelines etc. notified by Government of India. Insurance Surety Bond should be valid for 180 days from the tender opening date, either separately for each type of tendered item or total for all types of tendered items.

A copy of DD/Banker's cheque /Bank Guarantee/ Bank transaction acknowledgement is to be uploaded in the e-tender portal and the original copy is to be submitted to MM Cell before the closing time of the tender as per instruction given in Section-2 of the bid document.

- 5.2 MSE (Micro & Small Enterprise) bidders are exempted from payment of Bid Security provided they submit current and valid Udyam Registration Certificate issued from the Ministry of MSME for the tendered items manufactured/produced and services rendered by Micro and Small Enterprises. Udyam Registration Certificate must be current & valid to prove that they are either Micro or Small Enterprise on the date of opening of technical bid part, if exemption from EMD is claimed. **These exemptions are not applicable for Medium Scale Units.**

6 Date & Time of Submission of Tender bids: on or before 17/02/2024 (1700 Hrs.).

Note 7: In case the date of submission (opening) of bid is declared to be a holiday, the date of submission (opening) of bid will be automatically shifted to next working day at the same scheduled time. Any change in bid opening date due to any other unavoidable reason will be intimated to all the bidders separately.

7 Opening of Tender Bids: 19/02/2024 (on or after 12:00 Hrs.)

Note 8: At the time of opening the bids, initially envelope containing offline documents of all bidder(s) will be opened. The Electronic envelope consisting Techno Commercial bids of only those bidder(s) will be admitted who would have submitted required documents as offline submissions.

8 Place of opening of Tender bids:

Authorized representatives of bidders (i.e. vendor/organization) can attend the Tender Opening Event (TOE) in chamber of AGM(MM-II), BSNL, O/o CGMT, U.P.(East) Telecom Circle, 3rd Floor, Door Sanchar Sadan, Laplace, Shahnajaf Road, Lucknow-226001, where BSNL's Tender Opening Officers would be conducting through online e-Tender.

- 9 Tender bids received after due time & date will not be accepted.

- 10 Incomplete, ambiguous, Conditional, unsealed tender bids are liable to be rejected.

- 11 "BSNL," reserves the right to accept or reject any or all tender bids or all bidding process, at any time prior to award of contract without assigning any reason whatsoever and without thereby incurring any liability to the affected bidder or bidders on the ground of Purchaser's action. BSNL is also not bound to accept the lowest bid.

- 12 The bidder shall furnish a declaration in his tender bid that no addition/ deletion/ corrections have been made in the downloaded tender document being submitted and it is identical to the tender document appearing on the website. In case of any correction/ addition/ alteration/ omission in the tender document, the tender bid shall be treated as non-responsive and shall be rejected summarily.

Note 9: All documents submitted in the bid offer should be preferably in English. In case the certificate viz. experience, registration etc. is issued in any other language other than English, the bidder shall attach an English translation of the same duly attested by the bidder & the translator to be true copy in addition to the relevant certificate.

Note 10: All computer generated documents should be duly signed/ attested by the bidder/ vendor organization.

- 13 The queries in respect of the bid document, if any, can be submitted through **Email in prescribed format as mentioned in clause 13.1 below**, latest by **5/02/2024 (dd/mm/yyyy)/1700(Hrs)**. **Any query received after this date will not be entertained.**

13.1 Template of seeking clarifications from BSNL

<i>S. No.</i>	<i>Section No.</i>	<i>Clause No.</i>	<i>Page No.</i>	<i>Brief Description of the Clause</i>	<i>Query Submitted By (Company Name)</i>	<i>Query / Clarification sought for</i>

BSNL Contact-1	
BSNL's Contact Person	Sh. Ashutosh Pandey , AGM(MM-II), MM Cell, O/o CGMT , UP-East , Circle Office , Lucknow
Telephone	0522-2234903
	[between 10:30 hrs to 17:30 hrs on working days]
E-mail ID	agmmm2upe@gmail.com
BSNL Contact-2	
BSNL's Contact Person	Sh. Satish Kumar , JTO (MM), MM Cell, O/o CGMT , UP-East , Circle Office , Lucknow
Telephone	0522-2234903
	[between 10:30 hrs to 17:30 hrs on working days]
E-mail ID	jtommupe@gmail.com

14 Bidder has to produce original certificates/ documents for inspection whenever required by BSNL

15 Period of Contract and Delivery Schedule:

- 15.1 The agreement for the work will be for one year which can be extended for another one year based on requirements and progress of the work.
- 15.2 However it is intended that the tendered work is to be completed in a three months period by the vendor from the date of signing of agreement.
- 15.3 Consequent upon the signing of agreement, first purchase order for “At site measurement of Earth Resistance of existing earth, physical inspection of existing earth and lightning arrester” will be issued for all tendered sites as per SOR with delivery schedule of five weeks. Bidder shall complete the work and submit the report in prescribed format as per Section-7(M) for 25% sites/location in first two weeks, next 25% in third week, next 25% in fourth week and final 25% in fifth week.
Note: The completion certificate in format as per section 7 (M) to be submitted by the bidders on next working day following the above said staggered delivery schedule for the aforesaid referred purchase/work order.
- 15.4 Period of completion(delivery schedule) of the awarded work vide any purchase order issued under the contract other than first purchase order in above said clause, is to be completed within 30 days from the date of issue of purchase order. However actual delivery schedule shall be as per purchase order as per need and requirement of the BSNL.

16 Integrity Pact: (Not Applicable for this Tender)

Integrity Pact Program is implemented for this tender for which signing of Integrity Pact is mandatory for the purchaser and bidder. Format of Integrity Pact is provided in the tender document at 7(I) in Section 7-Proforma(s). To oversee the implementation of Integrity Pact Program, IEMs are appointed by BSNL vide No. CA/MMT/15-1/2015 dated 08.11.2019 which is available in ‘Tender Notice’ link on www.bsnl.co.in.

Appendix-1 to Section-1 Part A

I. Any bidder from a country which shares a land border with India will be eligible to bid in any procurement whether of goods, services(including consultancy services and non-consultancy services) or works (including turnkey projects) only if the bidder is registered with the Competent Authority. Further, any bidder (including bidder from India) having specified Transfer of Technology(ToT) arrangement with an entity from a country which shares a land border with India, shall also be required to be registered with the same competent authority. The competent authority for the purpose of registration as per applicability of Rule 144(xi) **of the General Financial Rules (GFRs) 2017 shall be/ continue to be the registration committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT).**

II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated herein before, including any agency branch or office controlled by such person, participating in a procurement process.

III. "Bidder (or entity) from a country which shares a land border with India" for the purpose of this Order means-

- a. An entity incorporated, established or registered in such a country; or
- b. A subsidiary of an entity incorporated, established or registered in such a Country; or
- c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
- d. An entity whose beneficial owner is situated in such a country; or
- e. An Indian (or other) agent of such an entity; or
- f. A natural person who is a citizen of such a country; or
- g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above

IV. The beneficial owner for the purpose of (iii) above will be as under:

1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.

Explanation-

- a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
- b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

5. In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.
- V. An Agent is a person, employed to do any act for another, or to represent another in dealings with third person.
- VI The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority (This is applicable for tenders of Works contracts, including Turnkey contracts).
- VII The registration shall be valid at the time of submission of bid and at the time of acceptance of bid.**
- VIII If the bidder was validly registered at the time of acceptance/placement of, registration shall not be a relevant consideration during the contract execution.**