


## SECTION-1 PART A

### DETAILED NOTICE INVITING TENDER (DNIT)

	<b>BHARAT SANCHAR NIGAM LIMITED</b> ( 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 “Tender for SLA Based Comprehensive Maintenance of Optical Fiber cable and its associated works in BAs of 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.	Zone-A Packages	Business Area	Total Route length in Km	Item/Work	Estimated cost (all inclusive)	EMD @2% of Estimated cost
1	Package-I	Gorakhpur (Azamgarh, Ballia, Basti, Deoria, Gorakhpur, Mau OA)	<b>1722.0</b>	SLABased Comprehensive Maintenanceof OpticalFiber cable& its associated works in different BAs of UP (East) Circle	97,53,408/-	1,95,068/-
2	Package-II	Sitapur (Bahraich, Hardoi, Lakhimpur, Shahjahanpur & Sitapur OA)	<b>1091.0</b>		61,79,424/-	1,23,588/-
3	Package-III	Sultanpur (Jaunpur, Pratapgarh, Raebareli & Sultanpur OA)	<b>1313.6</b>		74,40,230/-	1,48,805/-
<b>TOTAL</b>			<b>4126.6</b>		2,33,73,062/-	4,67,461/-

**Note 1** Bidding & Evaluation of the tender will be on individual package basis for above estimated route Kms as per price offered in the financial bid. Any bidder may bid in one or more packages or even all the packages however tender award will be restricted to One (01) Package as per clause 4 of Section 4 Part B.

**Note 2** The work will be awarded to the contractor in phased manner in the BA based on the availability of the budget and requirement based on OF cable network of BA as well as policy of BSNL. **The contractor has to deploy minimum one Fault Repair Team in each OA irrespective of route Km however if required more than one team may be deployed to maintain the SLA.** Tentative details of routes / sections of OFC works of each Package is available in Section 3 part-C.

**Note 3** : 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 4** : MSE bidders are required to update their Udhyaam 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.**

**Note 5:** 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 2360/-** (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 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](mailto:aoclaimscgmt@gmail.com) and [agmmmupe@gmail.com](mailto:agmmmupe@gmail.com). The copy of the same may also 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 12.04.2024 (18:00 Hrs) onwards up to 1200 Hrs on 02.05.2024 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 average annual turnover of 30% of the estimated cost for the bidding 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). (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 debar/Blacklisted as per format of Section-7 (J))

**4.10 Experience: For participating in this tender, the tenderer should meet the following eligibility criteria:**

The tenderer who possess experience of having successfully completed the Optical Fiber Cable Construction /maintenance works in BSNL/MTNL/TCIL/ITI/Rites/HCL/ PGCIL/ Rail Tel/Private Telecom Service Provider/ any other Govt. (Central/ State) undertaking having mandate to carryout OFC construction work or the PSUs directly and also have received the payment for such completed works to the extent as mentioned below, are eligible to participate in the tender:

(i) For an amount equal to at least 90% of estimated cost of work put to tender from 01/04/2019 to the date of issue of this NIT (for last 5 years +).

OR

(ii) For an amount equal to at least 120% of estimated cost of work put to tender from 01/04/2017 to the date of issue of this NIT (for last 7 years +).

(Proof documents- Copy of relevant purchase/work order(s) along with successful completion certificate(s)/ experience certificate(s) by service purchasing organization. Bidder is to submit SUMMARY OF EXPERIENCE CERTIFICATE IN EXCEL FORMAT as per the Pro-forma 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.

**Note 7:** The bidder must have to submit labour license from labour department after signing the agreement /work order within 30 days if applicable.

## **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 and agmmmupe@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 02/05/2024 (1200 Hrs.).**

**Note 8:** 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: 03/05/2024 (on or after 1200 Hrs.)**

**Note 9:** 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-III), 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 10:** 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.

**Note11:** 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**, latest by **20/04/2024** till 1700 Hrs. **Any query received after this date will not be entertained.**

BSNL Contact-1	
BSNL's Contact Person	Sh. Praveen Kumar Jaiswal, AGM (MM-III)
Telephone	9415018414
	[between 11:00 hrs to 17:30 hrs on working days]
E-mail ID	agmmm3upe@gmail.com
BSNL Contact-2	
BSNL's Contact Person	Sh. Saurabh Singh, ADT (Plg)
Telephone	9450160001
	[between 11:00 hrs to 17:30 hrs on working days]
E-mail ID	adtplgupe@gmail.com

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

**15 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](http://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.**