

FREQUENTLY ASKED QUESTIONS (FAQS) ON POWERGRID'S TENDERS

1. Query:

Where are the tenders of POWERGRID published?

Reply:

Tender of POWERGRID are published on POWERGRID's website <http://www.powergridindia.com>. Apart from above, tenders are also published on the designated e-portal of the Application Service Provider (ASP) as well as the Central Public Procurement Portal (<https://eprocure.gov.in>) of Govt. of India.

2. Query:

Can a prospective bidder refer the newspapers for any tender opportunities in POWERGRID?

Reply:

POWERGRID in normal cases does not publish tender invitations in newspapers. The prospective bidder(s) who are interested in POWERGRID tenders are therefore, required to keep a close watch on the websites mentioned above for accessing any tender related information.

However, in some cases like poor response in any bidding process, Request for Empanelment processes etc., tenders are also published in the newspapers.

3. Query:

In case of variance between Bidding Documents published on POWERGRID's website and that published on e-procurement portal, which one will prevail?

Reply:

The tender/bidding documents are uploaded on POWERGRID's website for reference only. As such, in case of any contradiction between the Bidding Documents at POWERGRID's website and those at the e-procurement portal through which bidding process takes place, the version available on the e-portal shall prevail.

The prospective bidders may however note that the downloading of bidding documents is free of cost.

4. Query:

Whether POWERGRID carries out e-procurement or conventional paper based bidding? If yes, is there any charge applicable for registration on the e-portal for bid submission?

Reply:

POWERGRID carries out most of the procurements through e-procurement only. The details of the e-portal are indicated in the bidding documents and prospective bidder(s) may refer these documents for any related information.

In case of e-procurement, prospective bidder(s) has to necessarily register on the e-procurement portal of the Application Service Provider, to participate in the bidding. However, registration is free of cost and is a onetime process.

5. Query:

In case of e-procurement, is there any mode available for submission of bids e.g. e-mail etc. other than submission of bids on e-procurement portal?

Reply:

In case of e-procurement, the bidder(s) are required to submit the soft copy part of the bid on the e-portal only. Submission of soft copy of bids by any mode other than uploading on the portal is not permissible. However, the hard copy part of bids as specified like Bank Guarantee etc. are required to be submitted in physical form as per bidding documents.

6. Query:

What if I am not able to upload the bids within the specified deadline due to technical glitch at my end?

Reply:

In case of technical glitch at bidder's end, the deadline for submission of bids shall be extended by specified period on same day, say from 11.00 hrs to 15.00 hrs as stipulated in the bidding documents, provided a written request is received by POWERGRID before deadline is over. The extension shall however be permitted only once and no further extension shall be allowed.

7. Query:

To whom I can contact for tender related information?

Reply:

The details of the Tender Inviting Authority are available in Section - I (Invitation for Bids (IFB)) of the Bidding Documents.

8. Query:

Does POWERGRID follow Integrity Pact in its procurements? Where are the details of Independent External Monitors (IEMs)?

Reply:

POWERGRID follows Integrity Pact provisions in all of its tenders above a threshold level. The details are provided in the tender documents.

The name and other details of IEMs are available on POWERGRID's website under Quick Links - Integrity Pact Program.

9. Query:

Can I access POWERGRID's Works and Procurement Policy?

Reply:

Yes, POWERGRID's Works and Procurement Policy are available on POWERGRID's website.

For any procurement package, however, the provisions of the Bidding Documents shall always prevail over that of Works and Procurement Policy in case of contradiction. The respective rights of the Employer and the Bidder/ Contractor shall be governed by the Bidding Documents/Contract signed between the Employer and the Contractor for the subject packages.

10. Query:

Does POWERGRID conduct e-Reserve Auction in its procurement? How is e-Reverse Auction carried out in POWERGRID?

Reply:

POWERGRID uses e-Reverse Auction as a strategic step in its procurement process. The methodology to be adopted for e-RA is detailed out in the bidding documents.

11. Query:

If a prospective bidder has doubt regarding any provision of the Bidding Documents or any process related doubts, how can they get it clarified from POWERGRID?

Reply:

In every tender that POWERGRID floats, information regarding contact personnel is given in the bidding documents. Bidders can contact (through phone, e-mail etc.) the concerned official for their queries. Also, POWERGRID organizes pre-bid meeting in many of the tenders which is an effective forum for addressing queries. The purpose of the meeting is to clarify any issues regarding the e-procurement method, the Bidding Documents including the Technical Specifications.

The prospective bidders are however advised to examine the bidding documents in advance and raise any query well in time. It is also observed that some of the prospective bidders raise last minute queries only to get an extension in the deadline of the bid submission. In today's scenario where many projects are executed in compressed time frame, it would not be possible for POWERGRID to entertain such last minute queries.

12. Query:

In order to participate in a particular tender, do we need to participate in the Pre-Bid meeting mandatorily?

Reply:

No.

Non-attendance at the pre-bid meeting will not be a cause for disqualification of a bidder.

13. Query:

In case of contradiction between different sections of Bidding Documents, which of the section will prevail?

Reply:

The provision for addressing any contradiction in different sections of the bidding documents are already incorporated in the bidding documents.

14. Query:

Does the sections Instruction to Bidders (ITB) and General Conditions of Contract (GCC) change with each procurement?

Reply:

The sections ITB and GCC are normally followed without any change in a number of procurements. To track the changes, the bidders may refer the documents code that is assigned to the ITB and GCC, which will be different in case the same is changed. Also, for different categories, ITB and GCC may vary, like procurement with scope of supply shall be different than the procurement with scope of supply-cum-installation.

Package specific changes are effected in ITB and GCC through Bid Data Sheet (BDS) and Special Conditions of Contract (SCC) respectively. The BDS and SCC supplement, amend, or specify in detail, information or requirements included in

ITB and GCC. If there is a conflict between provisions of ITB & GCC vis-à-vis BDS & SCC respectively, the provisions of BDS & SCC shall prevail.

15. Query:

Many a times, POWERGRID invites bids for multiple packages under a single Bidding Documents. In such cases, will a bidder be required to submit cost of Bidding Documents (Tender fee) package-wise or the cost is common for all the packages under a single Bidding Documents?

Reply:

The nonrefundable Tender fee is towards the cost of bidding documents and bidders are not required to pay the amount package wise. Bidders, on their own discretion, may choose to participate in any and all packages covered under Bidding Documents.

The bidder shall however be required to submit Bid Security/Earnest Money Deposit package wise in which they will participate.

16. Query:

For a procurement package tendered under Global Competitive Bidding, can a foreign bidder get payment in the currency of their choosing?

Reply:

Under GCB, bidders including foreign bidders can quote the prices in Indian Rupees only. However, payments to the Foreign Bidder may be made in freely convertible currency(ies) for which they may indicate accordingly in relevant Attachment of their bid. In case payment is made in Foreign currency, all charges including wire charges towards Foreign exchange conversion shall be borne by the Foreign Bidder/Contractor.

17. Query:

Can a bid be modified / withdrawn and conditions thereto?

Reply:

Bidder may modify or withdraw its bids through the relevant provisions on the e-procurement portal prior to the deadline prescribed for bid submission, in line with the provisions of the Bidding Documents. No bid may be modified or withdrawn in the interval between the bid submission deadline and the expiration of the bid validity period. Withdrawal of a bid during this interval may result in the Bidder's forfeiture of its bid security.

18. Query:

Can a bidder submit its bid as a Joint Venture of two or more firms, as partners?

Reply:

A bidder can submit its bid as a Joint Venture of two or more firms as partners, if allowed as per stipulated Qualification Requirements in Annexure-A (BDS) of the Bidding Document.

19. Query:

Has POWERGRID implemented the 'Public Procurement (Preference to Make in India) Order, 2017 (PPP-MII order)' dated 15.06.2017 in its procurement?

Reply:

POWERGRID has implemented the 'Public Procurement (Preference to Make in India) Order, 2017 (PPP-MII order)' dated 15.06.2017 and its subsequent amendments in its procurements. Relevant provisions related to this policy/order can be seen from the respective tender documents.

20. Query:

What are the benefits being imparted by POWERGRID to Micro and Small Enterprises/ START-ups?

Reply:

POWERGRID has implemented the Public Procurement Policy for Micro & Small Enterprises (MSEs), 2012, as amended. Based on the policy implemented in POWERGRID under relevant packages, MSE bidders are exempted from payment of Tender fees and are also exempted from submission of Bid Security. However, Contract Performance Guarantees are required to be submitted by them in the event of award.

Besides above, purchase preference to MSEs and relaxation in Qualification Requirements are also extended to such firms. POWERGRID has also extended certain relaxation to Start-ups. These are stipulated in the tender documents.

21. Query:

Do we need to quote price for 'Local Transportation, In-transit Insurance, Loading and Unloading charges', including GST?

Reply:

The quoted prices in bid for 'Local Transportation, In-transit Insurance, Loading and Unloading charges', shall be inclusive of GST, if applicable and in such case, the Contractor shall raise GST invoice in such a manner that total liability to POWERGRID on account of 'Local Transportation, In-transit Insurance, Loading and Unloading charges' including applicable GST (if any) thereon (mentioned in the invoice) remain equal to 'Local Transportation, In-transit Insurance, Loading and Unloading charges' as quoted by the Bidder in its bid.

It is our understanding that as per extant provisions, on the charges for supply of services related to Inland transportation, In-transit insurance, loading and unloading by the Contractor to the Employer, GST is not payable. The Contractor is, however, advised to check the position from their own sources. If payable, the same shall be to

the Contractor's account and POWERGRID shall not reimburse any GST on this account.

22. Query:

Can we make online payment towards (i) Cost of the Bidding Document (ii) Bid Security (EMD) (iii) Performance Security Payment (CPG) to POWERGRID?

Reply:

POWERGRID has the online payment facility POWERGRID ONLINE PAYMENT UTILITY - <https://epay.powergrid.in>, a link of which is provided on the POWERGRIDs website. As such, online payment towards (i) Cost of the Bidding Document (ii) Bid Security (EMD) (iii) Performance Security Payment (CPG) can be done through the same.

The online payment facility shall be for payment in Indian Rupees only. However, the copy of 'Online Payment Acknowledgement - Suppliers' generated subsequent to the payment towards (i) Cost of the Bidding Document (ii) Bid Security (EMD) should be submitted along with hard copy part of the bid.

23. Query:

What is the Effective Date from which the Time for Completion shall be determined?

Reply:

"Effective Date" shall mean the date means the date of Notification of Award as defined in the Bidding Documents from which the Time for Completion shall be determined.

24. Query:

At what rate GST is reimbursed if there is difference in HSN/SAC classification and corresponding rate of GST of an item as confirmed/ deemed confirmed by the bidder in its bid and HSN/SAC and corresponding rate of GST as interpreted under any interpretation/ judgment/ Notification/ Circular/ amendment issued under the GST law before or after the award of contract?

Reply:

GST reimbursable to the bidder/Contractor shall be lower of the GST applicable at the rate as confirmed/deemed confirmed in the bid or actual GST paid/payable by the bidder/contractor for that item.

25. Query:

How do we get the GSTIN number of POWERGRID for the purpose of raising Invoice?

Reply:

GSTIN number of POWERGRID in each state/UT is published on the company's website <https://www.powergridindia.com>. While raising invoice/proforma invoice for Supply of Goods, Contactor shall bill to and ship to the address of the Owner in the State/UT where the Goods or part thereof is to be Supplied and mention GSTIN of POWERGRID of the same state/UT. In case of Supply of Services, the Contractor shall invoice POWERGRID using the GSTIN of POWERGRID in the state/UT in which the service or part thereof is to be rendered.

26. Query:

If any Tax is deducted at Source, is any Tax Deduction at Source (TDS) Certificate issued by POWERGRID?

Reply:

POWERGRID shall, deduct taxes at source as per the applicable laws/rules, if any, and issue Tax Deduction at Source (TDS) Certificate to the Contractor.

27. Query:

Can I get to know the name of the successful bidder/contractor?

Reply:

Yes. Once the award is placed on the successful bidder, name and other details are published and are available on POWERGRID's website.

28. Query:

Who has the responsibility to pay the taxes and duties?

Reply:

The responsibility of payment of taxes and duties shall be entirely of the contractor as per the provisions of the Bidding Documents except in case it is the legal obligation of the Employer as per the laws governing the contract to make such payment. However, the obligation to bear the burden of the taxes and duties shall be governed as per the terms and conditions of the contract.

29. Query:

From which banks, a contractor can submit the Bank Guarantee towards Contract Performance?

Reply:

The Bank Guarantee for Advance Payment Security and Performance Security may be submitted from (a) a Public Sector Bank located in India, or (b) As per List attached to Special Conditions of Contract (SCC)].

The BG may also be issued by a foreign bank or a subsidiary of a foreign bank, acceptable to POWERGRID, with overall international corporate rating or rating of long term debt not less than A- (A minus) or equivalent by a reputed rating agency and should be confirmed by either (i) its corresponding bank located in India; or (ii) a Public Sector Bank located in India; or (iii) a scheduled commercial private bank located in India *as per the attached list to SCC.*

30. Query:

How the matter of copy rights in tendering process shall be dealt with?

Reply:

The copyright in all drawings, documents and other materials containing data and information furnished by the Contractor remain vested in the Contractor. POWERGRID is however free to reproduce all drawings, documents and other material furnished to the Employer for the purpose of the Contract including, if required, for operation and maintenance.

Disclaimer:

This is without prejudice to POWERGRID's rights under the Contracts/Bidding Documents for respective tenders.

The above FAQs are for reference purpose only and you shall not derive any rights therefrom at any stage. You are advised to refer respective Bidding Documents/Contracts for a particular tender.