



## Tender Enquiry

Enclosure to Tender Enquiry: Part 'A': Tender Terms and Conditions

Tender No. 2000007999

Item: Supply and commissioning of ABB make VFD Drive for Auxiliary Hoist Control and Luffing Control of LL-21 Crane Angre Wet Basin East Yard

Type of tender: Emergency Open Tender for Indian Bidders

### Section I - Notice Inviting Tender (NIT)

1. Notice Inviting Tender (NIT): Mazagon Dock Shipbuilders Limited (MDL), Mumbai is India's leading Shipbuilding Company with ISO 9001:2015 accreditation. Mazagon Dock Shipbuilders Limited, invites offer in Single bid system i.e. Techno Commercial along with Price Bid from Indian bidders through online bidding via MDL e-procurement portal (<https://eprocuremdl.nic.in>) for Item /Services.
2. **Disclaimers and Rights of MDL:** The issue of the Tender Document does not imply that MDL is bound to select bid(s), and it reserves the right without assigning any reason to
  - (a) reject any or all of the Bids, or
  - (b) cancel the tender process; or
  - (c) abandon the procurement of the Goods/Services; or
  - (d) issue another tender for identical or similar Goods/Services.

### Section II - Tender Enquiry Form (TEF)

1. **Description & Scope of Supply / Work:** Supply and Commissioning of ABB make VFD Drive for Auxiliary Hoist Control and Luffing Control of LL-21 Crane Angre Wet Basin East Yard.

Sr. No.	Line item Description	Qty (nos)
100	ABB MAKE VFD DRIVE (CRANE CONTROL)FOR AUXILLARY HOIST TYPE: ACS880-01-105A-3-N5050 WITH ADVANCE DIAPLAY (SUPPLY , COMMISSIONING AND TRIALS OF ABB MAKE DRIVE)	1
200	ABB MAKE VFD DRIVE (CRANE CONTROL) FOR LUFFING CONTROL  TYPE: ACS880-01-145A-3-N5050 WITH ADVANCE DIAPLAY (SUPPLY , COMMISSIONING AND TRIALS OF ABB MAKE DRIVE)	1

2. **Pre-Qualification Criteria:** Bidder must submit authorization certificate from the OEM for supply and service of the tendered item. The authorization letter shall be valid for atleast one month beyond the delivery period. In case the authorization letter expires before the said period, bidder must extend the validity accordingly.
3. **Validity Period of Offer:** Bid / Offer shall have the validity period of **30 days** from the tender closing date.
4. **Delivery Period:** Supply and commissioning of ABB make VFD Drive for Auxiliary Hoist Control and Luffing Control of LL-21 Crane at Angre Wet Basin East Yard to be satisfactorily carried out **Within 4 weeks from PO placement.**
5. **Submission of offer in Single Bid System:** The bidder shall ensure following are essentially submitted in the bid as applicable:
  - (i) Techno-Commercial Offer and Price Bid.
  - (ii) Acceptance of Tender terms
  - (iii) Compliance Certificate w.r.t. Land Border Clause
  - (iv) Price Bid (BoQ)



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- (v) OTR Documents ( GST Certificate, Bidders Shop and establishment registration certificate or registration certificate from registrar of firms or certificate of incorporation from Registrar of Companies, PAN card, Cancelled cheque, Bank Mandate)
6. **Bid Modification:** Modification in bids, if any, is to be made by bidders prior to the tender closing date & time.
7. **Liabe rejection criteria:** Non-compliance/non-acceptance to any of the terms and conditions of the tender shall render the bid liable for rejection.
8. **Pricing:**
- Prices of all items/services shall be quoted for delivery of the items/services at MDL, Mumbai including charges towards inland transportation, insurance, and other local costs incidental to the delivery of the Goods/Services.
  - The prices quoted shall remain firm and fixed during the currency of the order / contract unless agreed otherwise by MDL.
9. **Taxes & Duties:** Bidders must clearly mention the applicable Taxes & Duties in the rate sheet enclosed in the tender.
- For MDL's GST number, please visit our website. MDL's Provisional GST Number is 27AAACM8029J1ZA.
  - Bidder must mention HSN numbers in their offers & also in invoices. These codes must be in accordance with GST law.
  - If bidder is registered under GST, Suppliers shall be responsible for the financial and non-financial consequences in case of non-compliance of GST provisions/requirements/timelines on their part.
10. **Payment Terms:**
- (a) All the payments to indigenous bidders due shall be made through Real Time Gross Settlement (RTGS) / National Electronic Fund Transfer (NEFT) by MDL. 100% Payment for the value of supply post satisfactory installation and commissioning against work completion certificate issued by MDL designated executive in the rank of CM and above. Payment of the value of supply as may be payable and as reduced by any deductibles and / or the amount leviable towards liquidated damages (@0.5 % (excl tax) of price of delayed item for each week of delay, subject to a max deduction of 5% of price of such item), if any plus taxes, duties etc as applicable shall be made within 15 days from the date of submission of following documents required for certification of payment:
- Suppliers invoice.
  - PO copy with amendments if any
  - Work Completion Certificate.
- (b) **E Invoice:** Wherever GST is applicable, payment will be released against e-Invoice, or Invoice accompanied with Vendor's Self Declaration that " We do not fall under the category of registered persons notified under Rule 48(4) of the Central GST Rules, 2017 and we are not required to comply with e-Invoicing provisions under GST Act, as our aggregate turnover in any preceding financial year from 2017-18 onwards has not exceeded Rs. 5 Crores as per GST act"
11. **Ranking of Bids:** Ranking will be done on overall lowest price basis.
12. **Purchase Preference to MSEs:** MDL reserves its option to give purchase preference to MSEs compared to the non-MSE enterprises as per policies of the Government from time to time. This preference shall only apply to products produced and services rendered by Micro and Small Enterprises. If an MSE bidder quotes a price within the band of the lowest (L-1) +15 percent in a situation where the L-1 price is quoted by someone other than an MSE, the MSE bidders are eligible for being awarded up to 100 percent of the total quantity being procured if they agree to match



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the L-1 price. Purchase preference is only applicable for MSE manufacturer of offered tender supply item.

13. **Public Grievance Cell:** A public grievance cell headed by Shri R. R. Kumar, ED (EY) has been set up in the company. Members of public having complaints or grievances are advised to contact above Authorities on Wednesday between 10.00 hours and 12.30 hours in his office at 3rd Floor, West Block, Mazagon Dock Shipbuilders Ltd or send their complaints / grievances to him in writing for redressal. Telephone No. is 23762106(MDL).
14. **Land Border Clause:** This is applicable for this tender and details are available on MDL Website.
15. **Contact Details for Queries: All bidders are requested to get their queries, if any, clarified in advance (i.e. one day in advance to tender closing date) to avoid last minute delay.** In case of any clarifications regarding tender, bidders are requested to contact the following executives.

Department	Name of Executives	Contact No	Email
Technical	Mr. Shri Alec Monteiro, CM(MTC-EY)	+91 22 23763809	mantonio@mazdock.com
	Mr. D K G Bhojwani M(MTC-EY)	+91 22 2376 3656	dgbhojwani@mazdock.com
Commercial	Mr. Manoj Meshram, DGM/HOS, (Material-SPO/DPO)	022 2376 3259	mmeshram@mazdock.com
	Mr. Bharat Rautela, DM(Material-SPO/DPO)	022 2376 2149	brautela@mazdock.com

16. We look forward to receive your most competitive and reasonable offer against this tender.

Yours faithfully,

**For MAZAGON DOCK SHIPBUILDERS LIMITED**





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**Date:**

**Supplier's Seal:**

**Authorized Signature of the Supplier:**

**Certified that the particulars as per Serial Numbers 2, 7 to 11 are correct as per our records.**

**Date:  
the Bank.**

**Bank's Stamp**

**Authorized Signature of the Officer of**

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### Official Secret Act 1923

#### **SECTION 2(B) ; "PROHIBITED PLACE"**

It is defined as the place of any work of Defence Dockyard and other so belonging or occupied and used for the purpose of building, repairing, making or storing any ammunitions of war.

For the purpose of the above definition, sketch includes any photograph or other mode of representing any place or thing.

#### **SECTION 3 : "PENALTIES FOR SPYING"**

If any per unlawfully -

- a) approaches, inspects, passes over or is in the vicinity of any clear place; or
- b) make any sketches intended to be directly or indirectly useful to an enemy ; or
- c) obtains, collects, records or communicates to any other person any secret official code.

Shall be liable for imprisonment of 14 years in case of Defence Installation.

#### **SECTION 4 : "COMMUNICATION WITH FOREIGN AGENTS"**

If Any person has been in communication with or attempted to communicate with foreign agents regarding the vital information of any "PROHIBITED PLACE" would be guilty of violating the provisions of this Act.

#### **SECTION 5 : "WRONGFUL COMMUNICATION OF INFORMATION"**

If any person having in his possession or control any official document;

- a) Willfully communicates to any person, other than a person, who is authorised to communicate it.
- b) Used the information in his possession for the benefit of any foreign power.
- c) Retain in his possession when he has no power to retain it
- d) Fails to take reasonable care of it.

Shall be guilty of an offence under this Act.

#### **SECTION 6 : "UNAUTHORISED USE OF UNIFORMS"**

If any person for the purpose of gaining admission or of assisting any other person to gain admission to a "PROHIBITED PLACE" wears uniforms without lawful authority shall be guilty of offence under this Section.

#### **SECTION 7 : "INTERFERING WITH OFFICERS OF POLICE"**

No person in the vicinity of any "PROHIBITED PLACE" shall abstract any Police Officer engaged on guard, sentry or similar duty. If any person move in the provisions of this section, shall be punishable with imprisonment, which may extend up to 3 years.

#### **SECTION 8 : "DUTY OF GIVING INFORMATION"**

It shall be duty of every person to give on demand to a superintendent of Police or any other Police Officer not below the rank of Inspector, any information in his power relating to an offence under this Act.

If any person fails to give such information, shall be punishable with imprisonment to 3 years or fine or with both.

#### **SECTION 9 : "INCITEMENT"**

Any person who attempts to commit or debate the commission of an offence under this Act shall be punishable with the same punishment and be liable to be proceeded against in the same manner as if he had committed such offence.

#### **SECTION 10 : "PENALTY FOR HARBOURING SPIES"**

If any person whom he knows or has reasonable grounds for supposing to be person who is about to commit or who has committed offence under this Act shall be guilty of offence under this Section.

#### **SECTION 11 : "SEARCH WARRANTS"**

If a presidency Magistrate, Magistrate First Class or Sub-Divisional magistrate is satisfied with the information that there is reasonable ground for suspecting that an offence under this Act has been or is about to be committed, he may grant search warrant to any Police Officer to enter at any time any premises to force to search premises or the places.



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**Note:** Based on the Illustrative Format as above, the concerned Dealing Officer / HOD(C) may formulate / design the required forms / documents / tender enquiries / registers / STACS / proformas to suit to the requirements on case to case basis in line with the corresponding articles in Purchase Manual Volume-I.

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#### Format for Compliance Certificate w.r.t. Land Border Clause

#### Declaration of Compliance of Order (Public Procurement No.1, 2 & 3) dtd 23 Jul 2020 & 24 Jul 2020 on Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017

This declaration must form part of all tenders & it contains general information and serves as a declaration form for all bidders. (Before completing this declaration, bidders must study the General Conditions, Definitions, Govt Directives applicable in respect of Public Procurement No.1, 2 & 3) dtd 23 Jul 2020 & 24 Jul 2020 and OM No F.7/10/2021/-PPD(1) dated 23.02.2023 on Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017 & prescribed tender conditions).

#### DECLARATION BY AUTHORISED SIGNATORY OF THE FIRM

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as .....  
of M/s .....(name  
of bidder entity), that:

1) The facts contained herein are within my own personal knowledge.

2) I have read the Order (Public Procurement No.1, 2 & 3) dtd 23 Jul 2020 & 24 Jul 2020 and OM No F.7/10/2021/-PPD(1) dated 23.02.2023 on the subject of Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017 regarding restrictions on procurement from a bidder of a country which shares a land border with India and comply to all the provisions of the Order

3) I certify that M/s .....(name of bidder entity) **is not from such a country or, is from such a country** (strike out whichever is not applicable). I hereby certify that this SUPPLIER fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority is attached]

4) I understand that the submission of incorrect data and / or if certificate / declaration given by M/s .....(name of bidder entity) is found to be false, this would be a ground for immediate termination and further legal action in accordance with law as per Clause 12 of the Public Order on Restrictions under Rule 144 (xi) of the General Financial Rules (GFRs), 2017

**AUTHORISED SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Seal / Stamp of Bidder**

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### DECLARATION CERTIFICATE FOR LOCAL CONTENT

This declaration must form part of all tenders & it contains general information and serves as a declaration form for all bidders. (Before completing this declaration, bidders must study the General Conditions, Definitions, Govt. Directives applicable in respect of Local Content & prescribed tender conditions).

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID/ TENDER No:  
ISSUED BY: MAZAGON DOCK SHIPBUILDERS LIMITED**

NB: The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as ..... of  
.....(name of bidder  
entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have read and understood the requirement of local content (LC) and same is specified as percentage calculated in accordance with the definition provided at clause 2 of revised Public Procurement (preference to Make in India) Order 2017.

"Local content" as per above order means the amount of value added in India which shall be the total value of items procured (excluding net domestic indirect taxes) minus the value of imported content in the item (including all customs duties) as a proportion of the total value in percent."

(c) I have satisfied myself that the goods/services/works to be delivered in terms of the above specified bid comply with the local content requirements as specified in the tender for 'Class-I Local Supplier' / 'Class-II Local Supplier', and as above.

(d) I understand that a bidder can seek benefit either Public Procurement Policy for MSEs -Order 2012 or Public Procurement (preference to Make in India) Order 2017 and/or both and once the option is declared / selected it is not permitted to be modified subsequently. Accordingly, I seek the benefit from the below declared purchase preference policy.

I seek benefits against the following policy:

1)	PPP MSE Order 2012		(Applicable for MSE manufacturers)
2)	PPP MII 2017		(Applicable for Class I suppliers as well as MSE manufacturers)

Note: If not declared / selected is shall be deemed that Purchase Preference benefit is sought under PPP MII 2017 policy

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(e) The local content calculated using the definition given above are as under:

Tender Item Sr. No	Local content calculated as above %	Location of local value addition (Location shall be the specified as name of city or district, etc.)

Attach separate sheet duly signed if the space not sufficient.

Note 1: Local content percentage shall be declared item wise or tender wise strictly as per the terms of the tender.

Note 2: The Actual Local Content Certificate (to be provided at the time of PO placement) shall be mandatorily submitted by the successful bidder post execution of PO.

(f) I accept that the Procurement Authority / Institution / MDL / Nodal Ministry has the right to request that the local content be verified in terms of the requirements of revised Public Procurement (preference to Make in India) Order 2017 dated 16.09.2020 and I shall furnish the document / information on demand. Failure on my part to furnish the data will be treated as false declaration as per PPP MII Order 2017. In case of contract being awarded, I undertake to retain the relevant documents for 7 years from date of execution.

(g) I understand that the submission of incorrect data, or data that are not verifiable as described in revised Public Procurement (preference to Make in India) Order 2017, may result in the Procurement Authority / Nodal Ministry / MDL imposing any or all of the remedies as provided for in Clause 9 of the Revised Public Procurement (preference to Make in India) Order 2017 dated 16.09.2020.

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**Seal / Stamp of Bidder**

*Handwritten signature*

*Handwritten signature*

*Handwritten signature and date: 04.02.23*

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