



No. 1010/NITK-Manpower/Estt/2022/B2

Date: 22-04-2022.

Pre-Bid Clarifications

Name of work/ service	Providing Manpower Services at NITK, Surathkal.
Tender ID.	2022_NITK_683614_1
NIT No.	No. 1010/NITK-Manpower/Estt/2022/B2 dated 11-04-2022
Start date for seeking clarifications	13-04-2022 (09:00 hrs)
End date for seeking clarifications	20-04-2022 (17:00 Hours)
Uploading pre-bid clarifications	22-04-2022

Clarifications of NITK, Surathkal on the queries received:

SI. No.	Query of the bidder	Clarifications of NITK, Surathkal
-1-	-2-	-3-
1	Kindly refer to point No. 8 wherein you have asked to submit Rs.60 lakh as a security deposit but as per government order security deposit has been reduced and fixed at 3% of the contract value so you are requested to reduce the same.	<p>The estimated total value of work put to tender is ₹7,13,82,598 per year, excluding GST. The estimated total value for 3 years of contract works out to ₹21,41,47,794, excluding GST.</p> <p>3% of ₹21,41,47,794, (without considering GST amount) works out to ₹64,24,434.</p> <p>The Security Deposit mentioned in the Tender Document [to be deposited by the successful bidder] is ₹60.00 lakh, being one month's estimated value of work, which is well within the stipulated ceiling of 3%.</p> <p>Hence, the request of the bidder is not considered. The Security Deposit to be deposited by the successful bidder will be ₹60.00 lakh.</p> <p>The Security Deposit will have to be deposited only by the successful bidder (on intimation before executing the agreement), and <u>not by all the bidders</u> while submitting their bids.</p>
2	The finance ministry on Thursday said that the government of India has decided to extend the benefit of reduced performance security of 3% up to March 31, 2023, for all central government tenders/ contracts issued/ concluded till March 31, 2023.	Performance Security has not been insisted in the Tender Document. This may be noted by the bidders.
-1-	-2-	-3-

3	<p>Tender Point: The bidder must have not less than 106 employees/workers (40% of required Manpower) in his Register of Pay Roll in each month from January 2021 to December 2021. The details should be submitted by uploading it in CPPP as per the format provided in the tender document.</p> <p>Bidder Query: For Fulfilling this point ESI/EPF ECR documents are sufficient, pls clarify</p>	<p>Information is to be furnished in the Format as specified in Page no. 41 of the Tender Document (with or without a copy of ESI/ EPF ECR documents).</p>
4	<p>We hereby like to know about the category of the manpower for the same.</p>	<p>Please refer to page no. 37 and 49 of the Tender Document.</p>
5	<p>(1) Tender Clause No. 10.5 (ii), Page No-6, in which you have asked to submit labour licence along with the experience certificate and the experience certificate without labour licence shall not be treated as valid documents. This clause seems as a unique clause and nowhere is required this clause in the tender. Hence, we request you to please amend this clause to submit the experience certificate only with the work order.</p>	<p>“The Contract Labour (Regulation and Abolition) Act, 1970 [Act No. 37 of 1970]” applies to every contractor who employs twenty or more workmen, as per Section - 1 (4) (b) of the said Act.</p> <p>Further, as per Section 12 (1) of the above referred Act, ‘no contractor to whom the said Act applies, shall undertake or execute any work through contract labour except under and in accordance with a licence issued in that behalf by the licensing officer’.</p> <p>Hence, it is mandatory under “The Contract Labour (Regulation and Abolition) Act, 1970 [Act No. 37 of 1970]” to obtain Labour Licence to carry out any contract work having twenty or more workmen. In other words, carrying out any contract work having twenty or more workmen without obtaining a Labour Licence amount to violation of “The Contract Labour (Regulation and Abolition) Act, 1970 [Act No. 37 of 1970]”</p> <p>Since the Work Experience sought in the Tender Document is for the works with more than twenty numbers of workmen, the bidder must have obtained the Labour Licence. A copy of the same has been insisted in the Tender Document along with the Work experience certificate. Hence, this requirement of furnishing copy of Labour Licence can not be treated as a unique clause.</p> <p>Hence, request for amending the said clause is rejected.</p> <p>There is no change in Para 10.5 as stipulated in the Notice inviting tenders.</p>
	<p>(2) Tender clause No. 10.06, page no-6, in which you required the affidavit for not blacklisted/ debarred in the past five years.</p>	<p>Request accepted.</p> <p>The Para 10.6 (<i>Minimum Eligibility Criteria</i>) of Notice Inviting Tenders dated 11-04-2022 is amended as follows:</p>

<p>Our company has every reason to believe that the affidavit being sought by NITK seeking certification about the non-blacklisting of any bidder in the last five years is with the move to disqualify/ debar the prospective bidder from participating in the bid.</p> <p>It is brought --- (wordings are not reproduced as the contents are not relevant/ do not contain query matter)</p> <p>Hence, we request you to please amend this clause t presently no blacklisting/ debarred from any of the Govt. Institutions.</p>	Existing criterion -Para 10.6	Amended criterion - Para 10.6
	<p>The bidder should not have abandoned or suspended any awarded work/ service contract of any organization during the past five financial years (2017-2018 to the date of submission of the present bid). The bidder should not have been blacklisted/debarred for competing by any organization during the past five financial years (2017-2018 to the date of submission of the present bid). Relevant proof in the form of an affidavit (format as in the Tender Document) duly sworn in this regard should be uploaded</p>	<p>The bidder should not have abandoned or suspended any awarded work/ service contract of any organization as on the date of Notice Inviting Tender (i. e 11-04-2022). The bidder should not have been blacklisted/debarred for competing by any organization as on the date of Notice Inviting Tender (i. e 11-04-2022). Relevant proof in the form of an affidavit (format as in the Tender Document) duly sworn in this regard should be uploaded</p>
	<p>The modified form of the Affidavit is annexed as 'Annexure No. 1'</p>	

Sd/-
REGISTRAR
NITK, Surathkal

Annexure No. 1:

FORMAT OF AFFIDAVIT (MODIFIED)

[For Sl. No. 10.6 of Eligibility Criteria]

[On a stamp paper of Rs. 200 duly sworn before the Public Notary/ Oath Commissioner]

Name of work/ service: Providing Manpower services at NITK, Surathkal.

Affidavit of Mr./Ms. _____, S/o/ of Mr. _____ aged about _____ years, resident of _____, working as -----(designation) for ----- (name and address of the bidding agency).

I, the above-named deponent, solemnly affirm and state as under:

1. That I am working as ----- /proprietor of the ----- (name of the firm) and authorized to sign this affidavit.
2. That the firm M/s---- (complete address of the firm) currently has not abandoned or suspended any contract work of any organization/ department as on 11-04-2022.
3. That the firm M/s---- (complete address of the firm) currently has not been blacklisted/ debarred for competing in tenders by any organization/ department as on 11-04-2022.
4. I solemnly verify that the facts stated above are true and nothing material has been concealed.

Seal and Signature of the deponent

Identified by:

Solemnly affirmed and signed before me by the Deponent after the contents of this affidavit were read over to him, and stated by him to be true and correct on this ----- day of ----- 2022, at -----.

Signature valid

Digitally signed by PRITAM RAMESH
BANSOD
Date: 2022.04.22 17:20:11 IST
Location: eProcure-EROC

