

Bid Addendum Report

NEA Engineering Company Ltd.

NEA Engineering Company Ltd.
2nd Floor, Trade Tower, Thapathali
Kathmandu, Kathmandu
Kathmandu
Nepal

Addendum No: null

Published On: 02-01-2020 17:00

Invitation No: NEC/KAAHTLP/BD/076/77/02

Dated On: 31-12-2019 00:00

Following changes are made in the bid document

Chapter: General Information

Sl. No.	Relavant Clause No / Name	Existing Clause	Modified Clause
1	Clarification Submission Date	Not Provided in Bid Document	2020-01-02 17:00:00
2	Authorised Representatives Address	2nd Floor, Trade Tower, Thapathali	2nd Floor, Trade Tower, Thapathali Kathmandu, Kathmandu



Bid Addendum Report

NEA Engineering Company Ltd.

NEA Engineering Company Ltd. 2nd Floor, Trade Tower,
Thapathali Kathmandu, Nepal

Addendum No: 1

Published On: 31-12-2019 00:00

Invitation No: NEC/KAAHTLP/BD/076/77/02

Dated On: 02-01-2020 00:00



ADDENDUM No. 1

The following amendments have been made in IFB No: **NEC/KAAHTLP/BD/076/77/04**

S.N	Section	Relevant Clause No.	Existing	Modified by
1	ITB	38 Performance Security	<p>38.1 Within Fifteen (15) days of the receipt of Letter of Acceptance from the Employer, the successful Bidder shall furnish the performance security in accordance with the Conditions of Contract, subject to ITB 35.5, as specified below from Commercial Bank or Financial Institution eligible to issue Bank Guarantee as per prevailing Law in Nepal using Sample Form for the Performance Security included in Section X (Contract Forms), or another form acceptable to the Employer. The performance security issued by any foreign Bank outside Nepal must be counter guaranteed by Commercial Bank or Financial Institution eligible to issue Bank Guarantee as per prevailing Law in Nepal.</p> <p>i) If bid price of the bidder selected for acceptance is up to 15 (fifteen) percent below the approved cost estimate, the performance security amount shall be 5 (five) percent of the bid price.</p> <p>ii) For the bid price of the bidder selected for acceptance is more than 15 (fifteen) percent below of the cost estimate, the performance security amount shall be determined as follows:</p> <p>Performance Security Amount = [(0.85 x Cost Estimate – Bid Price) x 0.5] + 5% of Bid Price. The Bid Price and Cost Estimate shall be inclusive of Value Added Tax</p>	<p>Add following as per 5th Revision, December 2019</p> <p>Within Fifteen (15) days of the receipt of Letter of Acceptance from the Employer, the successful Bidder shall furnish the Letter of Commitment for Bank's Undertaking for Line of Credit of the amount as specified in the BDS, using Sample Form for the Line of Credit included in Section X (Contract Forms) at the time of contract agreement</p>



2	ITB	38 Performance Security	38.2 Failure of the successful Bidder to submit the above-mentioned Performance Security or to sign the Contract Agreement shall constitute sufficient grounds for the annulment of the award and forfeiture of the bid security. In that event the Employer may award the Contract to the next lowest evaluated Bidder whose offer is substantially responsive and is determined by the Employer to be qualified to perform the Contract satisfactorily. The process shall be repeated according to ITB 37.	38.2 Failure of the successful Bidder to submit the above-mentioned Performance Security and Line of Credit or to sign the Contract Agreement shall constitute sufficient grounds for the annulment of the award and forfeiture of the bid security. In that event the Employer may award the Contract to the next lowest evaluated Bidder whose offer is substantially responsive and is determined by the Employer to be qualified to perform the Contract satisfactorily. The process shall be repeated according to ITB 37.
3	II, BDS	ITB 38.1		Add following as per 5 th Revision, December 2019 Letter of Commitment for Bank's Undertaking for Line of Credit shall be of NRs. 10,00,000.
4	III, Evaluation and Qualification Criteria	Qualification Criteria for Multiple Contracts:	The criteria for qualification shall be the sum of the minimum requirements for respective individual contracts as specified under items 2.3.2, 2.3.3, 2.3.4 and 2.4.2b.	The criteria for qualification shall be the sum of the minimum requirements for respective individual contracts as specified under items 2.3.2, 2.3.3, and 2.4.2b.
5	III, Evaluation and Qualification	2.3 Financial Situation	2.3.3 Financial Resources	Completely removed 2.3.3 Financial Resources and replaced by 2.3.3 Bid Capacity as per 5 th Revision, December 2019



	Criteria			
6	Section IV: Bidding Forms	Letter of Technical Bid		<p>(I) We are committed to submit the Letter of Commitment for Bank's Undertaking for Line of Credit ofMillions at the time of contract agreement, if the bid is awarded to us.</p> <p>(Modified Letter of Technical bid as per 5th Revision, December 2019 is attached here with)</p>
7	Section IV: Bidding Forms	Form FIN - 3: Financial Resources		<p>Replace Form FIN - 3: Financial Resources and modified by FIN 3: Bid Capacity as per 5th Revision, December 2019 (Replaced FIN-3 Bid Capacity is attached herewith)</p>
8	Section IV: Bidding Forms	Form FIN – 5 Current Contract Commitments/ Works in progress		<p>Modified Form FIN-4: Current Contract Commitments / Works in Progress as per 5th Revision, December 2019 (Modified Form FIN- 4 is attached here with)</p>
9	Section X: Contract Forms	Letter of Commitment for Bank's Undertaking for Line of Credit		<p>Add Letter of Commitment for Bank's Undertaking for Line of Credit as per 5th Revision, December 2019 (Letter of Commitment is attached here with)</p>



Letter of Bid

The Bidder must accomplish the Letter of Bid in its letterhead clearly showing the Bidder's complete name and address.

Date:

Name of the contract:

Invitation for Bid No.:

To:

We, the undersigned, declare that:

- (a) We have examined and have no reservations to the Bidding Documents, including Addenda issued in accordance with Instructions to Bidders (ITB) Clause 8;
- (b) We offer to execute in conformity with the Bidding Documents the following Works:
- (c) The total price of our Bid, excluding any discounts offered in item (d) below is:
- (d) The discounts offered and the methodology for their application are:
- (e) Our bid shall be valid for a period of *[insert validity period as specified in ITB 18.1]* days from the date fixed for the bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period;
- (f) If our bid is accepted, we commit to obtain a performance security in accordance with the Bidding Document;
- (g) Our firm, including any subcontractors or suppliers for any part of the Contract, have nationalities from eligible countries or any countries *[insert the nationality of the Bidder, including that of all parties that comprise the Bidder if the Bidder is a consortium or association, and the nationality of each Subcontractor and Supplier]*; **2 and meet the requirements of ITB 3.4, 3.5,**
- (h) We, including any subcontractors or suppliers for any part of the contract, do not have any conflict of interest in accordance with ITB 4.3;
- (i) We are not participating, as a Bidder or as a subcontractor, in more than one bid in this bidding process in accordance with ITB 4.3, other than alternative offers submitted in accordance with ITB 13;
- (j) Our firm, its affiliates or subsidiaries, including any Subcontractors or Suppliers for any part of the contract, has not been declared ineligible, under the Employer's country laws or official regulations or by an act of compliance with a decision of the United Nations Security Council;
- (k) We are not a government owned entity/We are a government owned entity but meet the requirements of ITB 4.5;¹



- (l) We understand that this bid, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us, until a formal contract is prepared and executed;
- (h) We declare that we are solely responsible for the authenticity of the documents submitted by us. The document and information submitted by us are true and correct. If any document/information given is found to be concealed at a later date, we shall accept any legal actions by the Employer.
- (n) We understand that you are not bound to accept the lowest evaluated bid or any other bid that you may receive; and
- (o) If awarded the contract, the person named below shall act as Contractor's Representative:
- (p) We agree to permit the Employer/DP or its representative to inspect our accounts and records and other documents relating to the bid submission and to have them audited by auditors appointed by the Employer.
- (q) We are committed to submit the Letter of Commitment for Bank's Undertaking for Line of Credit ofMillions at the time of contract agreement, if the bid is awarded to us.

Name:

In the capacity of

Signed

Duly authorized to sign the Bid for and on behalf of

Date



Letter of Commitment for Bank's Undertaking for Line of Credit

***Bank's Name, and Address of Issuing Branch or Office
(On Letter head of the Commercial bank or any Financial Institution eligible to issue Bank
Guarantee as per prevailing Law)***

Date:

Contract No:

Name of Contract :

To:

[Name and address of the Employer]

CREDIT COMMITMENT No: *[insert number]*

We are pleased to know that *[name of Contractor]* (hereinafter called "the Contractor") has been awarded the Contract for the execution of the Works of ***[description of works]*** for above contract. Furthermore, we understand that, according to your conditions, the Contractor's Financial Capacity i.e. Liquid Asset must be substantiated by a Letter of Commitment of Bank's Undertaking for Line of Credit.

At the request of, and arrangement with, the Contractor, we *[name and address of the Bank]* do hereby agree and undertake that *[name and address of the Contractor]* will be provided by us with a revolving line of credit, for execution of the Works viz. *[insert name of the works]*, for an amount not less than NRs*[in figure]* (*in words*) for the sole purpose of the execution of the above Contract. This Revolving Line of Credit will be maintained by us until ***[Insert "Initial Contract Period"]*** months by the Procuring Entity.

This committed line of credit shall not be terminated or cancelled without the prior written approval of Employer.

In witness whereof, authorised representative of the Bank has hereunto signed and sealed this Letter of Commitment.

Signature

Signature

Name :

Name :

Designation:

Designation:



Form FIN - 3: Bid Capacity

Each Bidder or member of a JV must fill in this form

$$\text{Bid Capacity} = [(7 \times A) - B]$$

A = Average Annual Turnover of best three years out of last ten fiscal years.

B = Annual Value of the existing commitments and works (ongoing) to be completed, calculated from

FIN-4.

SN	Name of Bidder	Pan No.	A, in Million	B, in Million	Bid Capacity, in Million
1					
2					
3					

Total Bid Capacity :

Signature of Bidder



Form FIN-4: Current Contract Commitments / Works in Progress

Bidders and each partner to a JV should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Current Contract Commitments (For Calculation of B with reference of FIN-3)									
No.	Name of Contract	Name of the Contractor/s	Employer's Contact Address, Tel, Fax	Contract Share in % (a)	Contract Amount in Millions (b)	Contract Date (yyyy-mm) (c)	Initial or Revised Contract Duration (months) (d)	Value of outstanding works [In Millions, NRS]# (e)	Estimated Time in Month to Complete the outstanding works (f) = (c) + (d) – Date of Invitation of Bid (f)
1									
2									
3									
4									

Signature of Bidder

The Outstanding Works means Contract Price (excluding Vat) minus Work Evaluated by Employer till the reference date. Bidder shall have to submit the relevant documentary evidence to substantiate the facts/figures.

Note 1: "B" shall be calculated as : $B = \sum \left[\frac{(e) \times (a)}{(f)} \right] \times 12$, If (f) is less than 12, then value of (f)

shall be taken as 12.

Note 2: If Initial or Revised Contract Date is run out with respect to Date of Invitation of Bid, the Estimated Time in Month to Complete the outstanding works shall be taken equal to 12 months.