**NOTICE INVITING TENDER**

Dungsam Cement Corporation Limited

 Procurement Division

 Corporate Service Department

 Nganglam, Bhutan

NIT No. DCCL/Com/Proc/05/2023/2295 31/10/2023

Dungsam Cement Corporation Limited (DCCL) invites sealed bids from interested bidders for sale of Scrap located at Plant location on **“AS IS WHERE IS” BASIS.**

Bidding document shall be available from Oct 31st, 2023 to Nov 15th, 2023. Bids shall be received up to Nov 15th, 2023 at 1500 hrs. and shall be opened on the same day at 1530 hrs.

Detailed bidding document is available at DCCL website (www.dccl.bt) and can be downloaded from website free of cost during the period.

**(Head PMMD)**

# TERMS AND CONDITIONS

# Scope of Bid

* 1. Dungsam Cement Corporation Limited hereinafter referred to as “DCCL” wishes to receive sealed bids from interested bidders for sale of scraps located at plants on **“As Is Where Is” Basis. A list of items is given under the price schedule for disposal items.**

# Eligible Bidders

* 1. All interested bidders are eligible to participate in the bidding process.
	2. Individuals and Firms participating in this Tender are required to submit a copy of Citizenship Identity Card/Trade License respectively along with the Bid as a proof of their identity/establishment.
	3. Bidders who are having pending issues with DCCL and not completed lifting their previous consignment of scrap will not be eligible.

# Cost of Bidding

* 1. The bidder shall bear all costs associated with the preparation and submission of its Bid and the DCCL s h a l l , in no case, be responsible or liable for those costs.

# Clarification of Bidding Documents

* 1. Prospective bidders requiring any further information or clarification on the bidding documents may notify DCCL in writing. DCCL shall respond in writing to all the bidders who have registered to any request for information or clarification of the Bidding Documents provided the request is received not later than **Nov 15th, 2023.**The contact details for sending clarifications are as under:

Head Procurement Division

Corporate Service Department

Dungsam Cement Corporation Limited

Nganglam, Bhutan

Mobile: 77417046

Email Id: loday.zangpo601@dccl.bt

# Amendment of Bidding Documents

* 1. At any time prior to the deadline for submission of bids but not later than **Nov 15th, 2023** DCCL may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective bidder, modify the Bidding Documents by addendum. The amendments shall be uploaded to its website and sent to the bidders who have registered with DCCL.
	2. The amendment shall be part of the Bidding Documents and will be binding on all bidders.
	3. In order to allow prospective bidders reasonable time in which to take the addendum/amendment into account in preparing their bids, DCCL may at its discretion, extend the deadline for submission of bids.

# Bid Price

* 1. Unless stated otherwise in the Bidding Documents, sale shall be on **“As Is Where Is” Basis.**
	2. The price to be quoted in the price schedule shall be in unit price and the total price for each item written both in figures and words.
	3. Bidders are required to quote for all items listed in the price schedule. In case bidders have not quoted for all items mentioned in the price schedule then their bid will be considered non-responsive.
	4. Any interlineation, erasures, overwriting, cutting or alteration shall only be valid if they are initiated by the authorized signatory to the bid.
	5. DCCL shall release items on a **Lot Basis** to the highest offered bidder for total worth of scrap provided in the price schedule, provided bid rates are equal to or greater than the reserve prices and or as decided by the Tender Committee. DCCL shall not evaluate the bid, item wise.

# Period of Validity of Bids

* 1. The bid shall remain valid up to **Dec 15th,2023.** The bid for the unsuccessful bidders will be returned after issuing letter of Award to the successful bidder**.**

# Bid Security

* 1. The bidder shall submit along with the Bid, a Bid Security equivalent to Nu/Rs 50,000.00 in the form of Demand Draft/Cash Warrant drawn in favour of Dungsam Cement Corporation Limited issued by any financial institution in Bhutan/India which is acceptable to DCCL. The bid security shall be valid up to 60 days.
	2. The Bid Security shall be submitted as a part of the Bid in a separate sealed envelope. Any bid not secured in accordance with Clause 8.1 above shall be rejected as non-responsive.
	3. The Bid Security of the successful bidders shall be adjusted against the money to be deposited for performance security.
	4. The Bid Security of the unsuccessful bidders whose bid is unsuccessful shall be released upon issuance of the Letter of Award to the successful bidders.
	5. The bid security shall be forfeited if:
		1. A Bidder withdraws his/her bids during the period of bid validity specified by the bidder; or
		2. If a Bidder does not accept the arithmetical corrections of its bid price.

# Performance Security

* 1. The successful bidder will then have to deposit a performance security which is 10% of the contract

Amount on receiving the letter of award. In case the successful bidder fails to lift all the items within the time frame given by DCCL then DCCL will forfeit the performance security and cancel the contract.

# Integrity Pact Statement

* 1. The bidder shall sign the integrity pact statement as per the format provided and submit along with the bid.

# Signing, Sealing, Submission and Opening of Bids

* 1. All the pages of the bid shall be signed by the bidder. All envelopes shall be sealed with adhesive or other sealant to prevent re-opening and each envelope shall have the NIT title and Reference number. DCCL shall not be responsible for the loss or incomplete of the bid if it is not sealed as required. The bidder shall indicate the name and address of the bidder on the envelope to enable the bid to be returned unopened in case it is declared “Late”.
	2. All bids are to be completed and submitted to the following address as per the terms and conditions of this document within 1500 Hrs. s(BST) on Nov 15th, 2023

Chief Executive Officer

Dungsam Cement Corporation Limited

Nganglam, Bhutan

* 1. Bids shall be opened on **Nov 15th, 2023 at 1530 Hrs**. (BST) in the presence of any bidder(s) or their authorized representative (**one only**) who wishes to attend the bid opening.
	2. DCCL shall prepare a record of Bid opening which shall include the following:
1. NIT title and reference number
2. Bid submission date and time
3. The date, time and place of bid opening
4. Bid price, offered by the bidder including any discount
5. The presence or absence of bid security and its amount
6. The name and nationality of each bidder
7. The name and signature of attendees at the Bid opening

# Late Bid

* 1. Any bids received by DCCL after the deadline for submission of the bid prescribed by DCCL, pursuant to Sub Clause 11.2 shall be declared “Late” and returned unopened to the bidder.

# One Bid per Bidder

* 1. Each bidder shall submit only one bid against NIT either by self or as a partner. Any bidder who submits more than one Bid against NIT shall be disqualified.

# Substitution, Modification and Withdrawal of Bids

* 1. The bidder’s may withdraw, substitute or modify its bid after it has been submitted by sending a written withdrawal/substitution/modification notice prior to the deadline for submission of bids, duly signed by an authorized representative. The bid requested to be withdrawn shall be sent unopened to the bidder.
	2. The substitution or modification of the bid must be prepared, sealed and marked in accordance with provisions under Clause 11.
	3. No bid shall be substituted or modified after the deadline for submission of bids.

# Correction of Arithmetical Errors in Price Bid

* 1. Arithmetical errors shall be corrected at the time of evaluation of Price Bid and the corrected figure will be considered as evaluated Bid price. The corrections in the Bid price shall be done as per the provisions of this clause and shall be binding on the Bidder. If the Bidder does not accept the correction of errors as per the provisions of this clause, the Bid shall be rejected and the Bid security forfeited.
	2. If there is a discrepancy between the product of unit price and quantity for each item, and the total price, the unit price and quantity shall prevail and the total price shall be corrected unless in the opinion of the DCCL there is an obviously gross misplacement of decimal point in the unit rate, or ignoring to put any zero or putting any extra Zero in the unit price in which case, the total of line item as quoted shall govern and unit rate shall be corrected accordingly.
	3. If there is discrepancy between summation of subtotals and total price, the summation of subtotal price shall prevail, and the total price shall be corrected.
	4. If there is a discrepancy between words and figure of the total price for each item/lot, wherever the Bid document requires the figures to be written in both words and figures, the amount in words shall prevail unless the amount expressed in word has an arithmetic error.

# Inspection of Disposal items

* 1. The bidders are expected to visit and inspect the disposal items to assess the actual conditions on “**As Is Where Is” Basis** during the working hours between 900 hrs.to 1700 hrs. except on Saturdays, Sundays and Government Holidays. The visit shall entirely be for inspection of disposal items. DCCL also reserves the right to postpone the visit and inspection of items and selectively allow the entry of Bidder or its authorized representative.
	2. The focal persons for inspection of disposal items is:

|  |
| --- |
| Capt K T Namgay (Retd)Chief Security Officer, DCCLMobile No: 77118699 |

# Rights to Accept and Reject any or all Bids

* 1. DCCL reserves the right to accept or reject any bid and to annul the bidding process and reject all bids at any time prior to award of contract, without thereby incurring any liability to the affected bidders or any obligation to inform the affected bidders of the grounds for DCCL’s actions.

# Letter of Award

* 1. DCCL shall notify the successful bidder offering the highest bid price for the contract through the issue of Letter of Award indicating the 10% of performance security to be deposited within the time frame as desired by DCCL.
	2. DCCL reserves the right not to sell any scrap if the total contract price of bidders is not equal to or more than the reserve price.

# Release of Disposal Items

* 1. The disposal items shall be released to the successful Bidder by the authorized representatives (CSO) after the bidder’s truck has been loaded and weigh slip generated from DCCL Weigh Bridge. Payment will then be made by the successful bidder in DCCL account by calculating as follows:

Total Weight of Scrap (X) Rate quoted

 The truck will be released from DCCL only after the payment is made by the Successful bidder.

# Demurrage Charges

* 1. The successful bidders shall complete lifting of the disposal items within thirty (30) days from the date of issue of Letter of Award. After 30 days, rental charges @Nu/Rs.500.00 (Ngultrum/Rupees Five Hundred only) per day shall be charged against each item regardless of the space occupied by the items for a period of 15 days.
	2. Failure to lift the disposal items within the extended period (i.e., 15 days), from the date of issue of Letter of Award, will result in forfeiture of the performance security and the cancellation of Contract.

# Damages or Losses

* 1. DCCL shall not be held responsible and accountable for any damages or losses caused to the items for which payment has been made, but not lifted within 30 (thirty) days from the date of issue of Letter of Award.

# Quantity Variations

# Quantities variations, if any during the final measurement of the scraps shall be adjusted by depositing additional money to the DCCL’s account in case of plus (+) variations, if acceptable to the bidder; or refunding the excess money deposited by the successful bidder in case of minus (-) variations as the case may be.

# Transportation

* 1. The successful Bidder shall make its own arrangement to lift and transport the disposal items after the issuance of Letter of Award. Incase DCCL machineries are used by the successful bidder for the loading purpose then the cost for the same to be borne by the successful bidder.
	2. For loading purpose, DCCL will not be responsible for any delays due to not availability of machineries which have been deployed by DCCL in the Plant.

# Taxes & Duties

* 1. The successful Bidder shall be responsible to pay statutory taxes, duties and levies, etc. which may arise in connection with this Contract.

# Dispute Resolutions

The party shall be in good faith resolve disputes arising out of the contract through negotiated settlement. In the event, parties cannot reach an amicable settlement through negotiation within 60 days of the first notice to negotiate, the parties shall initiate judicial proceedings in the Royal Court of Justice, Nganglam, where, in either of the party’s opinion, such judicial proceedings are necessary to preserve their right.

Form 1: Bidder’s information Form

*(The Bidder shall fill in this form in accordance with the instructions indicated below)*

Date:……………………….[Insert date of Bid submission]…………..

Disposal Tender No………………………………………..

|  |  |
| --- | --- |
| 1. Bidder’s Legal Name:
 |  |
| 1. CID No. / Trade License
 |  |
| 1. Address:
 |  |
| 1. Telephone/Mobile/Fax Number:
 |  |
| 1. E-mail address:
 |  |