

SECTION-4

**FORMS OF TENDER,
LETTER OF ACCEPTANCE,
AND AGREEMENT FORM ETC.**

Form -1**FORM OF TENDER
LETTER OF TECHNICAL BID**

(To be separately given for on the Letter head of the Firm)

Date _____

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 Tenderer (ITT).
- (b) We offer to execute the Works in conformity with the Bidding Documents.
- (c) Our bid shall be valid for a period of 180 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.
- (d) If our bid is accepted, we commit to obtain a performance security in accordance with the Bidding Documents.
- (e) If our bid is accepted, we commit to deploy key equipment and key personnel consistent with the requirements stipulated in Section 8A: Works Requirements.
- (f) If our bid is accepted, we commit to submit work method statements for all major activities and get these approved from the engineer prior to commencing work on such activities. We also understand that the work shall be executed as per the approved method statements and KEY DATES without any deviations and delay in completion.
- (g) We, including any subcontractors or suppliers for any part of the contract, do not have any conflict of interest in accordance with ITT clause 2.5.
- (h) We declare that we are not participating, as a Bidder or as a subcontractor, in more than one bid in this bidding process in accordance with ITT, other than alternative offers submitted in accordance with ITT.
- (i) We declare that we are not liable to be disqualified in Accordance with ITT clause 2.4, and we are enclosing the affidavit for the same as per the Performa given in the bid document.
- (j) 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; and
- (k) We have not made any deviations from the requirement of the bidding document and we have also not made any tampering or changes in the bidding documents on which the bid is being submitted and if any tampering or changes are detected at any stage, we understand the bid will invite summary rejection and invocation of bid security declaration, the contract will be liable to be terminated along with forfeiture of performance security, even if LOA has been issued.
- (l) We understand that we will be considered for participating for which we have submitted the bid security (ies) declaration form and we will be considered for award, subject to fulfilling the eligibility criteria as given in bidding document.
- (m) If our bid is accepted, we opt to take payment into the bank account, nominated by us.
- (n) We declare that the submission of this bid confirms that no agent, middleman, or any intermediary has been, or will be engaged to provide any services or any other item of work related to the award and performance of this contract. We further confirm and declare that no

agency commission or any payment which may be construed as an agency commission has been, or will be, paid and that the bid price does not include any such amount. We acknowledge the right of the Employer, if he finds to the contrary, to declare our bid to be noncompliant and if the contract has been awarded to declare the contract null and void.

- (o) We understand that you are not bound to accept the lowest evaluated bid or any other bid that you may receive.
- (p) A Power of Attorney to sign and submit this letter is attached.
- (q) Having inspected the site, examined the complete bid document including Employer's requirements, Conditions of Contract, Special Conditions of Contract, Particular Conditions of Contract, Technical Specifications, Safety, Health & Environment (SHE) Manual, Eligibility Cum Qualification Criteria, Instructions to Bidder and Addenda/Corrigendum etc., thereto (if any) for above mentioned work and prepared the bid entirely in accordance with all the requirements of the bid document and agree entirely with them.
- (r) We here by confirm that we have visited the sites of work and have become conversant with the local conditions of working.
- (s) For the purpose of your evaluation, study, review and decision-making we are ready to let you inspect our business premises / site, etc.
- (t) We authorize BI-RIDE or any of their authorized representative to approach, enquire, verify and check the matter furnished in our submission with the concerned client / K-RIDE of the Project / Contract and the concerned Banker of reference provided by us.
- (u) We undertake to hold in confidence all documents and information whether Technical or Commercial supplied to us at any time by or on behalf of BI-RIDE in connection with this bid and without your written authority or as otherwise required by law not to publish or otherwise disclose the same.
- (v) If our bid is accepted, we agree to establish our project office in Bengaluru
- (w) We have submitted the Statement of Integrity, Eligibility, Social, and Environmental Responsibility signed and abides by the same.
- (x) We understand that this Bid shall be governed by and construed in all respects according to the laws for the time being force in India and that the courts at Bengaluru will have exclusive jurisdiction in the matter.
- (y) We undertake that, in competing for (and, if the award is made to us, in executing) the above contract, we will strictly observe the laws against fraud and corruption in force in India namely "Prevention of Corruption Act 1988".

We hereby confirm that this Tender complies with the Tender validity and Earnest money deposit required by the Tender documents.

- (z) We confirm and declare that by virtue of our signature below, to the best of knowledge and belief that the information provided by us as required in this Bid Document, all supporting and explanatory information is truthful and exact.

Name _____

_____ In the capacity of _____

Signed _____

Duly authorized to sign the Bid for and on behalf of _____

Date: _____

(SEAL AND SIGNATURE OF THE BIDDER)

Form-2**LETTER OF PRICE BID**

(To be separately given for on the Letter head of the Firm)

(Centre of E-governance has disabled submission of documents pertaining to financial proposal in e-portal. Bidders are requested to enter the Financial Proposal in the respective cell provided in the e-portal. This format of Financial Proposal is only for reference).

Date_____

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 Clause no. 9, Section 2 Instructions to Bidders (ITT).
- (b) We offer to execute the Work in conformity with the Bidding Documents.
- (c) 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; and
- (d) The total price of our Bid is indicated in the price schedule in e-procurement portal.
- (e) We have not made any deviations from the requirement of the bidding document and we have also not made any tampering or changes in the bidding documents on which the bid is being submitted and if any tampering or changes are detected at any stage, we understand the bid will invite summary rejection and forfeiture of bid security/the contract will be liable to be terminated along with forfeiture of performance security, even if LOA has been issued.
- (f) We understand that you are not bound to accept the lowest evaluated bid or any other bid that you may receive.

Name: _____

In the capacity of: _____

Signed: _____

Duly authorized to sign the Bid for and on behalf of_____

Date: _____

Seal:

FORM - 3**FOR EMD/BID SECURITY (BANK GUARANTEE)**

WHEREAS _____ having its registered office at _____ (hereinafter called the Bidder) has submitted his bid dated for the work _____ (hereinafter called "the Works") KNOW ALL PEOPLE by these presents that we, _____ having its registered office at _____ (hereinafter called the Bank) are bound unto the Managing Director, Rail Infrastructure Development Company Karnataka Ltd (Bi-RIDE), Bengaluru (hereinafter called "the Employer") in the sum of ₹. _____ (Rupees _____) for which payment well and truly to be made to the said Employer the Bank binds itself, his successors and assigns by these presents; SEALED with the Common Seal of the said Bank this day _____

THE CONDITIONS OF THIS OBLIGATION ARE:

- (1) If after Bid opening the Bidder withdraws his Bid during the period of Bids validity specified in the Form of Bid.

OR

- (2) If the Bidder having been notified of the acceptance of his Bid by the Employer during the period of Bid Validity.
- Fails or confuses to execute the form of Agreement in accordance with the instructions to Bidders, if required; or
 - Fails or refuse to furnish the Performance Security, in accordance with the instruction to Bidders; or
 - Does not accept the correction of the Bid Price pursuant to clause 24.

We undertake to pay to the Employer up to the above amount upon receipt of his first written demand, without the Employer having to substantiate his demand, provided that in his demand the Employer will note that the amount claimed by him is due to him owing to the conditions of one or both of the two conditions, specifying the occurred condition or conditions.

This Guarantee will remain in force up to and including 225 days after the deadline for submission of bids as such deadline is stated in the instructions to Bidders of as it may be extended by the Employer, notice of which extension(s) to the Bank is hereby waived. Any demand in respect of this Guarantee should reach the Bank not later than the above date

DATE _____

SIGNATURE OF THE BANK _____

WITNESS _____

SEAL _____

FORM - 4**FORMAT FOR AFFIDAVIT TO BE SUBMITTED BY BIDDER ALONGWITH THE BID**

(To be separately given for each package)

*(To be executed in presence of Public Notary on non-judicial stamp paper of the appropriate value in accordance with relevant stamp Act. The stamp paper has to be in the name of the bidder) ***

I _____ (Name and designation) ** _____ appointed as the attorney/authorized signatory of the bidder (including its constituents), M/s. _____ (hereinafter called the bidder) for the purpose of the Bid for the work of _____ as per the bid No. _____ of BI-RIDE, do hereby solemnly affirm and state on behalf of the bidder including its constituents as under:

- *1. That the bidder or any of its constituents has not been Blacklisted/ banned for business dealings for all Government Departments or by Ministry of Railways or by BI-RIDE at any time and/or no such blacklisting is in force as on the deadline for submission of bids.
- *2. That none of the previous contracts of the bidder or any of its constituents had been terminated / rescinded for Contractor's failure or part terminated for its failure as a JV partner with forfeiture of its full Performance Security, by Rail Infrastructure Development Company (Karnataka) Ltd. during the period of last 3 years before the deadline for submission of bids.
(Add Proviso of Clause 2, (ITT) suitably, if any Contract was so terminated).
- *3. The bidder or any of its constituents has not been imposed liquidated damages of 5% or more of contract value by any Government Department or by Ministry of Railways or by BI-RIDE due to delay in the implementation of any previous contract (either in the capacity of a single entity or as constituent of any other JV) within the period of last 2 years before the deadline for submission of bid [2 years shall be reckoned from the date on which imposed L.D. has exceeded 5% of the contract price] and there are no such accrued delay damages which has not been fully recovered before the deadline for submission of bids on account of contractor's request for deferring recovery to maintain cash flow and BI-RIDE has acceded to the same in the interest of the project and the work under the previous contract in question has been completed before the deadline for submission of bid, unless imposition of such delay damages has been set aside by the Competent Authority.
4. That the Bidder or any of its constituents is neither Bankrupt/Insolvent nor is in the process of winding-up nor is such a case pending before any Court on the deadline of submission of the bid.
- *5. That the name of the Bidder or any of its constituents is not on the list of "Poor Performer" of any Government Department or by Ministry of Railways or by BI-RIDE as on the deadline for submission of bid.
6. We declare that the bidder or any of its constituents have not either changed their name or created a new business entity. Consequent to having been banned business dealings for specified period which is not over or suspended business dealings or having been declared as poor performer.
7. We declare and certify that balance sheets for five financial years including that for the latest concluded financial year are being submitted.

OR

We declare and certify that balance sheet for the latest concluded financial year has not been finalized till date and that is why we are furnishing financial data for five financial years ignoring the latest concluded financial year.

(# - Delete whichever is not applicable) **.

8. We declare and certify that we have not made any misleading or false representation in the forms, statements and attachments in proof of the qualification requirements.
9. We declare that the information and documents submitted along with the bid by us are correct and we are fully responsible for the correctness of the information and documents, submitted by us.
10. We understand that in case we cease to fulfil the requirements of qualifying and eligibility criteria at any time after opening of bids and till finalization of bids, it will be our bounden duty to inform the Employer of our IBN
changed status immediately and in case of our failure to do so, our bid shall be rejected and bid security declaration form shall be forfeited. In case such failure comes to the notice of Employer at any time after award of the contract, it will lead to termination of the contract and forfeiture of Bid or Performance Security. We shall also be liable for Banning of Business dealings up to a period of five years.
11. We understand that if the contents of the affidavit are found to be false at any stage during bid evaluation, it will lead to rejection of our bid and forfeiture of the bid security. Further, we *[insert name of the bidder]* **_____ and all our constituents understand that we shall be liable for banning of business dealings up to a period of five years.
12. We declare and certify that we have not made any misleading or false representation in the forms, statements and attachments in proof of the qualification requirements.
13. We also understand that our offer will be evaluated based on the documents/credentials submitted along with the offer and same shall be binding upon us.
14. We declare that the information and the document submitted along with the tender by us are correct and we are fully responsible for the correctness of the information and documents, submitted by us.
15. We undersigned that if the certificate regarding Eligibility Criteria submitted by us are found to be forged/false or incorrect at any time during process for evaluation of tenders, it shall lead to forfeiture of the tender EMD besides banning of business for five years in Bi-RIDE. Further, we (Insert name of the Tenderer) **_____ and all our constituents understand that our offer shall be summarily rejected.
16. We also understand that if the certificate submitted by us are found to be false/forged or incorrect at any time after the award of contract, it will lead to termination of the contract, along with forfeiture of EMD/SD and performance guarantee besides any other action provided in the contract including banning of business for five years in Bi-RIDE.

(SEALAND SIGNATURE OF THE BIDDER)

Verification:

We above named tenderer do hereby solemnly affirm and verify that the contents of our above affidavit are true and correct. Nothing has been concealed and no part of it is false.

(SEAL AND SIGNATURE OF THE BIDDER)

*Modify the contents wherever necessary, in terms of sub-clause 2 ITT.

** The contents in Italics are only for guidance purpose and details as appropriate, are to be filled in suitably by Bidder.

Attestation before Magistrate/Public Notary

Bi-RIDE

FORM - 5**FINANCIAL SITUATION**

(Bidder must fill in this form)

NAME OF BIDDER/

| Sl. No. | Description | Financial Data for 5 Financial Years [Indian National Rupees] | | | | |
|---------|---------------------------|---|---------|---------|---------|---------|
| | | Year 1: | Year 2: | Year 3: | Year 4: | Year 5: |
| | | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-25 |
| 1 | Total Assets | | | | | |
| 2 | Current Assets | | | | | |
| 3 | Total Liabilities | | | | | |
| 4 | Current Liabilities | | | | | |
| 5 | Net Worth [= 1 – 3] | | | | | |
| 6 | Working Capital [= 2 - 4] | | | | | |
| 7 | Profit Before Tax (PBT) | | | | | |

1. The bidder shall attach copies of the following original documents with the form
Copies of the audited balance sheets, including all related notes, and income statements for the five years, as indicated above, complying with the following conditions.
 - i. All such documents reflect the financial situation of the Bidder or partner to a JV, and not sister or parent companies.
 - ii. Historic financial statements must be audited by a certified accountant.
 - iii. Historic financial statements must be complete, including all notes to the financial statements.
 - iv. Historic financial statements must correspond to accounting periods already completed and audited (no statements for partial periods shall be requested or accepted).
2. Contents of this form should be certified by a Statutory Auditor
 - i. In the event that the audited accounts for the latest concluded Financial Year are not available, the Bidder shall furnish information pertaining to the five financial years after ignoring the latest concluded financial year. In case, the bidder submits audited financial information for the last six or more years, only the figures for the five years (from FY 2020-21 to FY 2024-25) shall be considered for evaluation.
 - ii. Financial data for last five financial years has to be submitted by the bidder along with audited balance sheets. The financial information of the Bidder must be certified either by the Independent Financial Auditor (statutory Auditor) of the company appointed under the companies' Act.
 - iii. In case any discrepancy in data is found between the balance sheet and the financial information submitted, the data as available in the balance sheet will be considered.
 - iv. In case the audited balance sheet of the year 2025-26 is not made available by the Bidder, he has to submit an affidavit certifying that 'The Balance Sheet has actually not been audited so far'. In such a case the financial data of '4' audited financial years (i.e. 2020-21, 2021-22, 2022-23 & 2023-24) will be taken into consideration for evaluation. If

audited balance sheet of any year other than the year 2024-25 is not submitted, then the bid will be considered as non-responsive.

- v. In case the company's financial year is from Jan 2020 to Dec 2021, then it will be considered under financial year 2020-21. Similar procedure will be applicable for other financial years also.

(SEAL AND SIGNATURE OF THE BIDDER

Certified that all figures and facts submitted in this form have been furnished after full consideration of all observations/notes in Auditor's reports.

(Signature of Statutory Auditor)

Name of Statutory Auditor: _____

Registration No: _____

(Seal)

FORM - 6**ANNUAL CONSTRUCTION TURNOVER FOR THE 5 FINANCIAL YEARS.****NAME OF BIDDER:**

| Sl. No. | Year | Annual Turnover | Multiplying Factor | Updated Annual Turnover |
|---------|-----------|-----------------|--------------------|-------------------------|
| | | INR | INR | INR |
| 1 | 2020-2021 | | | |
| 2 | 2021-2022 | | | |
| 3 | 2022-2023 | | | |
| 4 | 2023-2024 | | | |
| 5 | 2024-2025 | | | |

| Annual Turnover Data for the 5 Financial Years. (Construction Only) | | | |
|---|-----------------|---------------|-----------------------------------|
| Year | Amount Currency | Exchange Rate | Indian National Rupees Equivalent |
| 2020-2021 | | | |
| 2021-2022 | | | |
| 2022-2023 | | | |
| 2023-2024 | | | |
| 2024-2025 | | | |
| Average Annual Construction Turnover for 5 Financial Years. | | | |

1. The information supplied shall be substantiated by data in the audited balance sheets and profit and loss accounts for the relevant years and submitted as attachments to form 5 in respect of the bidder or all partners constituting the bidder.
2. Contents of this form should be certified by a Statutory Auditor.

(SEAL AND SIGNATURE OF THE BIDDER)

FORM - 7**CURRENT CONTRACT COMMITMENTS / WORKS IN PROGRESS**

Bidders should provide information on their current commitments on all contract that have been awarded, or 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.

Contract Commitments

| Sl. No. | Description of Work | Contract No. & Date | Name & address of Employer, Tel./Fax/ Email | Value of Contract in INR | Stipulated Period of Completion | Value of Balance Work | Anticipated Date of Completion |
|---------|---------------------|---------------------|---|--------------------------|---------------------------------|-----------------------|--------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | | | | | | | |
| 2 | | | | | | | |
| 3 | | | | | | | |
| 4 | | | | | | | |
| 5 | | | | | | | |
| Total | | | | | | | |

For calculation of 'Updated contract value' in column 5 above, assume inflation as per multiplying Factors given in Form 6.

1. Bidder should provide information on their current commitments or 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 a completion certificate is yet to be issued.
2. The exchange rate of foreign currency shall be applicable 28 days before the tender submission date. For conversion of foreign currency to Indian Rupee exchange rates published by Financial Benchmarks Private limited (www.fbil.org.in) 28 days before the date of bid submittal will be considered. In case the particular day happens to be a holiday the exchange rate published on the next working day will be considered. In case of works in foreign currency the effect of inflation is considered as included, as the exchange rate prevailing 28 days before tender submission is being considered for conversion to Indian Rupees,

Note: Enclose Certificate(s) from Engineer(s) In charge (duly signed by an officer not lower than JAG officer in Railways and Executive Engineer rank or equivalent grade in other department of Govt. of India/State Government/PSUs of Government of India / State Undertaking and Competent Authority of Public Listed Company) for Value of outstanding work. In case it is not feasible to furnish certificate from all the units the bidder should record the following certificate on Form 7:

"Certified that current commitments on all the contracts that have been awarded or for which a letter of intent or acceptance has been received or for the works in progress or the works approaching completion, value of outstanding work has been indicated in the above table correctly. It is further certified that if later on the employer discovers that information provided in the table is incorrect then the employer will treat our bid invalid and it will be liable for rejection"

(SEAL AND SIGNATURE OF THE BIDDER)

FORM – 8

FORMAT FOR CERTIFICATE TO BE SUBMITTED BY BIDDER ALONGWITH THE BID

(On the letter head of the Firm)

We/I, _____, having registered office at _____ do hereby certify that “I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that this bidder is not from such country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfils all requirements in this regard and is eligible to be considered. (Where applicable, evidence of valid registration by the competent Authority shall be attached.)”

Dated this ____ day of ____, 2025

For: _____

Authorized Signatory Signature: _____

Full Name: _____

Place: _____

(SEAL AND SIGNATURE OF THE BIDDER)

FORM - 9**FORMAT FOR CERTIFICATE TO BE SUBMITTED BY
BIDDER ALONGWITH THE BID FOR SUB CONTRACTING***(On the letter head of the Firm)*

We/I, _____, having registered office at _____ do hereby certify that "I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries; I certify that this bidder is not from such a country or, if from such a country, has been registered with the competent Authority and will not sub-contractor any work to a contractor from such countries unless such contractor is registered with the competent Authority. I hereby certify that his bidder fulfils all requirements in this regard and is eligible to be considered. (Where applicable, evidence of valid registration the Competent Authority shall be attached.)"

Dated this _____ day of _____, 2025

For- _____

Authorized Signatory Signature _____

Full Name: _____

Place: _____

(SEAL AND SIGNATURE OF THE BIDDER)

(SIGNATURE OF THE TENDERER)

Note:

* Delete whichever is not applicable.

Evidence of valid registration by the Competent Authority shall be attached.

FORM - 10**KEY PERSONNEL FOR THE WORK**

MINIMUM QUALIFICATION AND EXPERIENCE REQUIRED FOR KEY PERSONNEL TO BE DEPLOYED FOR THE WORK.

The Tenderer must demonstrate that it will have a suitably qualified Project Manager and suitably qualified (and in adequate numbers) Key Personnel and Non-Key Personnel, as described in the table below.

The Tenderer shall provide details of the Project Manager and Key Personnel and Non- Key Personnel that the Tenderer considers appropriate to perform the Contract, together with their academic qualifications and work experience.

| Sl. No . | Key Personnel | Qualifications & Total Experience | Particular Experience (Minimum requirement) | Minimum Number of Personnel Required | Name of the key Personnel Proposed | Qualification | Total Number of Years of Experience | Number of Years in Similar Works Experience |
|---|-------------------|---|--|--------------------------------------|------------------------------------|---------------|-------------------------------------|---|
| 1 | OHE /PSI Engineer | BE Electrical Engineering with Minimum 3 Years & Diploma with 5 Years in relevant field | Minimum 3 Years for Graduate & 5 Years for Diploma in relevant field | 2 | | | | |
| For further details of key personnel CVs to be submitted along with bid is as per Clause 3.3 (c) of Section 2 ITT | | | | | | | | |

Note:

- 1) Further details to be updated as per clause 3.3 (c) of section 2 ITT.
- 2) Bidder shall also can submit an undertaking against the above FORM 10.

(Signature)

(Name of Signatory)

(Capacity of Signatory)

Seal.....

FORM 11**FORMAT OF CURRICULUM VITAE (CV) FOR PROPOSED KEY PROFESSIONAL STAFF**

Proposed Position:

Name of Firm:

Name of Staff:

Profession:

Date of Birth:

Years with Firm/Entity: Nationality:

Membership in Professional Societies:

Detailed Tasks Assigned:

Key Qualifications:

[Give an outline of staff member's experience and training most pertinent to tasks on assignment. Describe degree of responsibility held by staff member on relevant previous assignments and give dates and locations]

Education:

[Summarize college/university and other specialized education of staff member and degrees obtained.]

Employment Record:

[Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments. Also give types of activities performed and client references, where appropriate.]

| Period | Name of Employing Organization | Name of the Project | Title / Position | Activity performed | Location of the Assignment |
|--------|--------------------------------------|---------------------------|---------------------|-----------------------|-------------------------------|
| | | | | | |

Languages:

[For each language, indicate proficiency: excellent, good, fair, or poor; in speaking, reading, and writing]

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and my experience.

Date:

[Signature of staff member and authorized representative of the Firm] Day/Month/Year

Full name of Staff Member: _____

Full name of the Authorized Representative: _____

FORM - 12**POWER OF ATTORNEY (POA) FOR SUBMITTING BID****(FOR SINGLE ENTITY/SOLE BIDDER ONLY)**

Know all men by these presents, we _____. (name and address of the registered office) do hereby constitute, appoint and authorize Mr./Ms._____ (name and residential address) who is presently employed with us and holding the position of _____ as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our bid for the Project, including signing and submission of all documents and providing information/responses to Bi-RIDE, representing us in all matters before Bi-RIDE, and generally dealing with Bi-RIDE in all matters in connection with our Bid for the Project.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall always be deemed to have been done by us.

_____ (Signature)

(Name, Title and address) of the Person issuing the POA.

Notes:

- (i) The bidder should submit the notarized Power of Attorney.
- (ii) The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.
- (iii) The bidder should submit following additional document in support of the POA as case-to-case basis:
 - a) Proprietorship Affidavit in case of Proprietary bidder.
 - b) Partnership deed in case of partnership bidder.
 - c) Board Resolution in case of a Public/Private limited company.
 - d) Memorandum & Article of Association in case of a Public/Private limited company.
 - e) Board Resolution in case of a Limited Liability Partnership.

FORM – 13

FORMAT OF DECLARATION TOWARDS DEPARTMENT/BLACKLISTING

We, M/s ----- (name of the Tenderer) -----(hereinafter called the Contractor) do hereby affirm and declare that we have not been black listed/Debarred by any Government/Government undertaking/semi-Government/Projects in India, during the last five (5) years.

We have not rescinded the works after award of the Contract during the last (5) years.

In case it is found that above statement is not true, any time during effect of this Tender or currency of the Contract between the parties based on the above statement, Bi-RIDE reserves its rights to terminate the Contract and forfeit the Tender Security/Performance Security at its discretion.

Signature of the Tenderer

FORM-A

LETTER OF ACCEPTANCE

(On the Letter head of the Employer)

[Date]_____

To: _____[name and address of the Contractor]

Dear Sirs,

This is to notify you that your Bid dated _____ for the execution of _____ for the Accepted Contract Amount of Rupees **(Excluding GST) amounting to ₹. _____** [amount in words], as corrected and modified in accordance with the Instructions to Tenderers is hereby accepted by the Competent Authority of K RIDE.

You are hereby requested to furnish Performance Security Deposit plus additional security for unbalanced tenders in accordance with of Clause 25.6 of ITT, in the form detailed in Clause 29.1 of ITT, in the form detailed in Clause 29.1 of ITT for an amount of ₹. _____ within 21 days of the receipt of this letter of acceptance, valid up to 30 days from the date of expiry of Defects Liability Period i.e., up to _____ and sign the contract.

You are hereby instructed to proceed with the execution of the said works in accordance with the contract documents from date of issuance of this letter.

Yours faithfully,

Authorized Signature

Name and Title of Signatory

Name of Agency.

FORM-B**CONTRACT AGREEMENT**

This agreement is made on the _ _____ day of _____ 20_____, between _____ (Name and Address of Employer) (herein after called “the Employer”) of the one part and _____ [name and address of contractor] (herein after called “the Contractor”) of the other part.

Whereas the Employer is desirous that the Contractor execute “Design, Supply, Erection, Testing & Commissioning for the Shifting/modification of 8 Nos of Switching Stations along with SCADA (comprising of 6 Nos. of Sub Sectioning & Paralleling Posts and 2 Nos. of Sectioning & Paralleling Posts) which are infringing the alignment of Corridor-1 & Corridor-4 of BSRP with necessary modification in existing Over Head Equipment/PSI Arrangement if required.” Advertised vide _____ dated _____ (herein after called “The Works”) and the Employer has accepted the Tender by the Contractor for the execution and completion of such Works and the remedying of any defects therein at a contract price of Rupees.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expression shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to, and they shall be deemed to form and be read and construed as part of this Agreement.
2. In consideration of the payments to be made by the Employer to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Employer to execute and complete the Works and remedy any defects therein in conformity in all aspects with the provisions of the Contract.
3. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying the defects wherein the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.
4. The following documents shall be deemed to form and be read and construed as part of this Agreement,

The documents forming the Contract shall be interpreted in the following order of priority:

- i. This Contract Agreement and the Appendices hereto.
- ii. Letter of Acceptance
- iii. Letter of Bid and the Price Schedule submitted by the Contractor.
- iv. Addendums, Corrigendum and Pre-bid clarifications to the Tender
- v. Special provisions (if any)
- vi. General Conditions of Contract (GCC) / Conditions of Contract (CC)
- vii. Particular Conditions of Contract (PCC)
- viii. Employers Requirements including scope of works, the Schedules.
- ix. Technical specification, Safety, Health & Environment Manual
- x. Design and Drawings

- xi. Any other documents pertaining to tender, issued by the Employer
- xii. Contractor's Technical Proposal
- xiii. Any other documents pertaining to tender, submitted by the contractor

If an ambiguity or discrepancy is found in the documents, the Engineer will bring the same to the notice of the Employer and the Employer will issue necessary clarification or instruction, as per the need.

In witness whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

The Common Seal of _____

was hereunto affixed in the presence of:

Signed, Sealed and Delivered by the said _____

in the presence of:

Binding Signature of Employer _____

Binding Signature of Contractor _____

Bi-RIDE