**BIDDING FORMS**

## Form 1: Bid Security (Bank Guarantee)

*(On non-judicial stamp paper of the value relevant to the place of execution)*

*[The* ***Bank/Bidder*** *shall fill in this Bank Guarantee form in accordance with the instructions indicated in brackets.]*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
[Bank’s Name, and Address of Issuing Branch or Office]*

**Beneficiary:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *[Name and Address of Employer]*

**Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**BID GUARANTEE No.:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

We have been informed that *[name of the Bidder]* (hereinafter called "the Bidder") has submitted to you its Bid dated (hereinafter called "the Bid") for the execution of *[name of contract]* under Invitation for Bids No. *[IFB number]* (“the IFB”).

Furthermore, we understand that, according to your conditions, Bids must be supported by a Bid Guarantee.

At the request of the Bidder, we *[name of Bank]* hereby irrevocably undertake to pay you any sum or sums not exceeding in total an amount of *[amount in figures]* (*[amount in words]*) upon receipt by us of your first demand in writing accompanied by a written statement stating that the Bidder is in breach of its obligation(s) under the bid conditions, because the Bidder:

(a) has withdrawn its Bid during the period of Bid validity specified by the Bidder in the Form of Bid; or

(b) having been notified of the acceptance of its Bid by the Employer during the period of Bid validity, (i) fails or refuses to execute the Contract Form, if required.

This guarantee will expire: (a) if the Bidder is the successful Bidder, upon our receipt of copies of the Contract signed by the Bidder; or (b) if the Bidder is not the successful Bidder, upon the earlier of (i) our receipt of a copy of your notification to the Bidder of the name of the successful Bidder; or (ii) 30 days after the expiration of the Bidder’s Bid.

Consequently, any demand for payment under this guarantee must be received by us at this office on or before that date.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*[signature(s)]*

## Form 2A: Deviation Schedule of Technical Bid

**(Only exceptions/deviations to be mentioned)**

|  |  |
| --- | --- |
| To[TTPL’s Name and Address] | NIT No.: ............................... Bidder’s Name & Address:.............................................. |

The following are the deviations and variations from and exceptions to the terms, conditions and specifications of the Bidding Documents for the construction of*…......[insert brief description of package] ………...* These deviations and variations are exhaustive. We shall withdraw the deviations proposed by us in this Form at the cost of withdrawal indicated in the financial bid, failing which our Bid may be rejected and bid security forfeited.

We confirm that except for the deviations and variations stated in this Form to our Bid, the entire work shall be performed as per specifications and conditions of the Bidding Documents without any extra cost to TTPL, irrespective of any mention to the contrary anywhere else in the Bid, failing which our
Bid may be rejected and Bid security forfeited.

Further, we agree that additional condition, deviation, if any, found in the Bidding Documents other than those stated in this Form, save those pertaining to any rebates offered, shall not be given effect to.

|  |  |  |
| --- | --- | --- |
| Section / Clause No | Page No. | Statement of Deviations |
|  |  |  |
|  |  |  |
|  |  |  |

**Sealed and Signed:**

## Form 2B: Deviation Schedule of Financial Bid

*(The deviation mentioned in the schedule shall be the same deviation as mentioned in Form 2A and submitted along with technical bid. Additionally, only the cost of withdrawal, if any, shall be mentioned against each deviation)*

|  |  |
| --- | --- |
| To[TTPL’s Name and Address] | NIT No.: ............................... Bidder’s Name & Address:.............................................. |

The following are the deviations and variations from and exceptions to the terms, conditions and specifications of the Bidding Documents for construction of*…......[insert brief description of package] ………...* These deviations and variations are exhaustive. We are furnishing below the cost of withdrawal for the deviations and variations stated in this Form. We shall withdraw the deviations proposed by us in this Form at the cost of withdrawal indicated herein, failing which our Bid may be rejected and bid security forfeited.

We confirm that except for the deviations and variations stated in this Form to our Bid, the entire work shall be performed as per specifications and conditions of the Bidding Documents without any extra cost to TTPL, irrespective of any mention to the contrary anywhere else in the Bid, failing which our
Bid may be rejected and Bid security forfeited.

Further, we agree that additional condition, deviation, if any, found in the Bidding Documents other than those stated in this Form, save those pertaining to any rebates offered, shall not be given effect to.

|  |  |  |  |
| --- | --- | --- | --- |
| Section / Clause No | Page No. | Statement of Deviations | Cost of withdrawal |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Sealed and Signed:**

## Form 3A: Technical Bid Submission Form

*(The Bidder shall fill in and submit this bid form with the Bid. If Bidders do not fill in the Contract Price and does not sign this Bid form, the bids will be rejected.)*

Name and Description of Works: ..............................................................................................

.....................................................................................................................................................

......................................................................................................................................................

|  |  |
| --- | --- |
| To[TTPL’s Name and Address] | NIT No.: ................................ |

Dear Sir,

1. With reference to your invitation for Bids, I/We have examined the bidding documents, including addenda(s) and clarifications (if any), the receipt of which is hereby acknowledged for the above-named Works and understood their contents.

I/We, hereby submit my/our offer to execute the Works described above in conformity with the General Conditions of Contract, Technical Specifications, Special Conditions of Contract and Addenda(s)/clarifications (if any) accompanying this Bid for the Contract Price as mentioned in the Price Bid.

* 1. We are aware that the Bill of Quantities do not generally give a full description of the work to be performed under each item and we shall be deemed to have read the Technical Specifications and other bidding documents and Drawings to ascertain the full scope of work included in each item while filling-in the rates and prices. We agree that the entered rates and prices shall be deemed to include for the full scope as aforesaid, including overheads and profit.
	2. We declare that as specified in the General Conditions of Contract, the rates of Bill of Quantities shall be subject to adjustment.
	3. We understand that the arithmetical errors in the Bill of Quantities shall be corrected as per provisions of the ITB.
1. All information provided in my/our offer and attachments (in all the three envelopes, viz. Envelope I, Envelope II and Envelope III) thereof is true and correct and in line with the requirement of the bidding documents and all documents accompanying this offer are true copies of their respective originals.
2. I/We confirm our prices are inclusive of all the applicable taxes, duties, levies, royalties and octroi for the performance of the Contract.
3. We hereby confirm that this Bid submission complies with the Bid Validity and Earnest Money Deposit required to be submitted in the form of .................................. for a sum of .................................................................. *[Name of currency and amounts in figures and words]*
4. I/We hereby declare that only the persons or firms interested in this proposal as principals are named here and that no other persons or company other than those mentioned herein have any interest in this Bid submission or in the Contract to be entered into and in good faith, without collusion or fraud, if the award is made on me/us.

I/We hereby also declare that any of the person or party (including my/our Subcontractor listed in the Bid) have not been declared ineligible to Bid for corrupt or fraudulent or collusive or coercive practice or banned from business dealings on any consideration by TTPL or any other government institutions/undertakings in Bhutan.

I/We also 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 Bhutan.

1. In line with the requirements of the bidding documents, we enclose herewith our Bid to execute the Works and remedy any defects therein, in conformity with such documents.
2. I/We undertake, if our bid is accepted, to commence the work from the date as may be stated in your Letter of Award to us, and to achieve completion of works within the time stated in the bidding documents.
3. We confirm that the ITB and GCC have been read carefully and understood the obligations of the Contractor fully and agree to comply with all the clauses which are mentioned therein. In case of any breach of any condition on our part, we shall be liable for actions as per terms and conditions of the Contract including rejection of bid and termination of Contract, if awarded.
4. I/We agree to abide by this Bid for a period of *......[insert Bid Validity] ....* from the date fixed for submission of Bids as stipulated in the bidding documents, and it shall remain binding upon me/us and may be accepted by you at any time before the expiration of that period.
5. I/We understand that you are not bound to accept the lowest or any Bid you may receive.

We attach herewith the documents and information set to be furnished to you for evaluating our eligibility and Bid.

**Sealed and Signed**

## Form 3B: Financial Bid Submission Form

(To be submitted on Bidder’s letter head)

Name and Description of Works: ..............................................................................................

.....................................................................................................................................................

......................................................................................................................................................

|  |  |
| --- | --- |
| To[TTPL’s Name and Address] | NIT No.: ................................ |

Dear Sir,

Having examined the Bidding Document ,including addenda *[insert list]*, we offer to execute the *[name and identification number of Contract]* in accordance with the Conditions of Contract accompanying this Bid for the Contract Price of ..........................*[insert amount in numbers]*, *[insert amount in words] [insert name of currency]*.

This Bid and your written acceptance of it shall constitute a binding Contract between us. We understand that you are not bound to accept the lowest or any Bid you receive.

We hereby confirm that this Bid complies with the Bid validity and Bid Security required by the Bidding Document and specified in the Bidding Data Sheet.

In case if I withdraw my bid after opening for whatsoever reasons, *I agree to the* forfeiture of the EMD/Bid Security.

**Sealed and Signed**

## Form 4: Power of Attorney

*(To be executed on non-judicial stamp paper of appropriate value)*

KNOW ALL MEN BY THESE PRESENTS THAT WE, ……… *[insert name of the Bidder]* ………………. a Company incorporated under the *……………. [insert relevant statute of Bhutan]* ……………. and having its registered office at ………… *[insert address]* ……………………………………. (hereinafter referred to as the “Bidder”) having been authorized by the Board of Directors of the Company, inter alia, to execute contracts in the name of and for and on behalf of the Company. I ……. *[insert name of the person giving the power of attorney] …………………*. presently holding the position of ………………. *[insert designation of the person giving the power of attorney]*……………… in the company do hereby constitute, appoint and authorize Mr.…………… [*insert name, designation and residential address of the person to whom the power of attorney is being given]…………* as our true and lawful attorney to do in our name and on our behalf all such acts, deeds, things necessary and incidental for submission of our Bid against NIT No. …………………….., floated by Thimphu TechPark Limited. I hereby further authorize the above attorney for signing and submission of the Bid and all other documents, information related to the Bid including undertakings, letters, certificates, declarations, clarifications, acceptances, guarantees, any amendments to the Bid and such documents related to the Bid, and providing responses and representing us in all the matters before TTPL in connection with the Bid for the said NIT till the completion of the bidding process including signing of the contract.

I accordingly hereby nominate, constitute and appoint above named ……………………………………………… severally, as my lawful attorney to do all or any of the acts specifically mentioned immediately herein above.

WE do hereby agree and undertake to ratify and confirm whatever the said Attorney shall lawfully do or cause to be done under and by virtue of this power of Attorney and the Acts of Attorney to all intents and purposes are done as if I had done the same on behalf of the Company if these presents had not been made.

IN WITNESS whereof I, …………………………………. have executed these presents this the ………………………. day of …………………at ………………...

 **EXECUTANT**

 Signature:…………………………….

 Name: ...................................................................

 Designation:....…………….…………………...

**ACCEPTED:**

Signature of Attorney:..………………………….

Name: .....................………………………………

Designation:………………….....................……..

Signature of the Attorney Attested

………………………………

**EXECUTANT**

Name………………………………

Designation………………………………

Office Seal………………………………

**Note:** The Power of Attorney should be notarized as per applicable legal provisions in the Kingdom of Bhutan

## Form 5: Certificate Regarding Acceptance of Important Conditions

*(To be kept in Envelope II)*

To

[TTPL’s Name and Address]

Dear Sir/Madam,

With reference to our Bid dated........................for..............*[insert name of the Works]*...................against NIT No........................., we hereby conform that we have read the provisions of following clauses and further confirm that notwithstanding anything stated elsewhere to the contrary, the stipulations of these clauses are acceptable to us and we have not taken any deviation to any of these clauses anywhere in the Bid:

*[List of clauses to be inserted as per BDS with clause reference no., and heading of the clause and document name]*

1. .....................................
2. ......................................
3. ......................................
4. ......................................
5. ......................................
6. ......................................
7. ......................................
8. ......................................
9. ......................................

We further confirm that any deviation to the above clauses, found anywhere in our Bid, implicit or explicit, shall stand unconditionally withdrawn without any cost implication whatsoever to TTPL failing which the Bid security may be forfeited

|  |  |
| --- | --- |
| Date: | Signature.......................................................... |
| Place: | Name................................................... |
|  | Designation....................................................... |
|  | Seal................................................................... |

Note: The above certificate is to be submitted in the sealed envelope along with the Technical Bid (envelop II). In absence of this certificate the Bid shall be rejected and returned