

MODEL STANDARD BIDDING DOCUMENT (SBD)

The Model Standard Bidding Document (SBD) for use by the Employers/Owners as a guide Document for Design / Engineering, Procurement and Construction Contracts for execution of Hydro-Electric Power Projects consists of a complete framework for preparation of contract document which include Notice Inviting Tenders / Invitation For Bids (IFB) and its basic details, Instruction to Bidders(ITB), format for Standard Bidding Document, Conditions or Contract including General Conditions of Contract and Special Conditions of Contract, Contract Data, Technical Specifications of the Works Project, supporting Drawings, Bill of Quantities and formats for securities etc. These documents have been arranged in the sequence of their formulation and implementation as given in the contents of this Standard Bidding Document.

The provision contained in the proposed conditions laid down in this document have enshrined the findings of the base paper, which is an outcome of International Conclave on Contract Management for Accelerated Development of Indian Hydropower Projects organized by Ministry of Power and Central Electricity Authority held at New Delhi in November, 2007.

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PREAMBLE

The scope of the Contract shall be design, engineering, manufacture, transportation, supply, inspection, test, erection and commissioning, as the case may be, of the Buildings, Stores, plants, materials, components, equipment, machineries, instruments, appliances and accessories, in accordance with the technical specifications and drawings of the Contract documents.

Since Conditions of Contract incorporated in any tender document strongly influence bid evaluation and the subsequent execution of works by the selected party, these contract conditions should clearly define the rights and obligations of the parties, including sharing of risks to avoid mistrust among themselves through fair, logical and equitable Contract conditions. The contract conditions, therefore, need to be adopted in a standardized format by all Hydro Power Developers for streamlining the contract management system to minimize contractual problems between the Employers and the Contractors to achieve project completion without or with minimum time and cost overruns.

The 12 Core Contract Conditions provided in Section CCC are the key pre-bid and post-bid requirements/conditions of any Bid/Contract between two parties for carrying out any activity related to Civil, Hydro-Mechanical and Electro-Mechanical Works involved in a Hydro Power Project in a time bound and desired manner. These Core Conditions shall be put in at appropriate locations in Instruction to Bidders (ITB) [Section-1] and Conditions of Contract (COC) [Section-3] of the Bid Documents as General Condition of Contract (GCC) [Section-3, Part I] & Special Condition of Contract (SCC) [Section-3 Part II]. Appropriate linkages of these conditions have also been provided, to enable the employer's Project Management Team to seek interpretations/clarifications in exigent conditions. These 12 Core Contract Conditions are stated in the Index below and are the Basic Contract Conditions.

Apart from the above mentioned core conditions, the text of undertaking from the employer and Inter-alia the Bidder/Contractor, has been made an integral part of the ITB & provided in Contract Data, which shall remain standard and binding for all the Contracts.

Beside these Core Contract condition, other Conditions of Contract are given in Section-3 of this Model SBD for guiding preparation of Contract Documents. The General Conditions of Contract (GCC) provides the Clauses of general application which shall form a part of the Contract for governing the rights and obligations of the parties for performing the Contract and have been grouped together in Part I of the Conditions of Contract. (COC)

Some clauses which must necessarily vary to take account of circumstances, site location, type and Scope of works etc., shall provide such modified / added contract clauses in case of each individual contract as Special Conditions of Contract (SCC) which shall prevail upon General Conditions of Contract (GCC) to the extent applicable. For this reason, the Clauses to be covered under Part II Condition of Contract has not been stated. Such specific, exigent conditions, which would have profound impact on the contract, could be articulated and detailed in the special conditions of contract, by the employer, without imparting the core conditions or the provision of the above said undertaking by both parties.

All the rights, discretion and powers of the Employer under the Contract shall be exercised by the Employer through written communications, which shall be given by the Employer's Representative or his officers as his nominees authorized by him for and on behalf of the Employer.