

Energy Efficiency Services Limited
Supply Chain Management Department

Circular No# 16

Ref: Circular No. EESL/2020-21/SCM/Circular/

Date: 30.03.2021

Subject: Implementation of GoI guidelines in respect of Public Procurement.

A consolidated list of guidelines issued in recent past by various ministries and departments of GoI which needs to be incorporated in the tender documents of EESL is as mentioned below:

Sr. No	OM/Order Description	Remarks
1	Public Procurement (Preference to Make in India) Revised Order (English) dated 16-09-2020 (Order No. P-45021/2/2017-PP (BE-II) (Attached as Doc A) regarding local content and associated criteria for vendor selection based on type of supplier.	<ul style="list-style-type: none"> • The eligibility of <u>Class-I, Class-II and Non-Local supplier</u> shall be taken into consideration as per the order. • Only <u>Class-I local supplier</u> shall be allowed to bid in cases wherein sufficient local capacity for the item being tendered has been notified by the concerned ministry. • The evaluation criteria mentioned in the order shall be complied with. <u>Class-I local supplier</u> shall be given purchase preference as mentioned in the order. • The <u>declaration of local content</u> shall be taken as mentioned in the OM. For tenders valued <u>more than 10 Crores</u>, the declaration of local content shall be taken from <u>Statutory Auditor/Cost Auditor/Practicing CA</u>. For tenders valued less than 10 Crores, bidder shall submit <u>self-declaration on letter head</u>. • RfP Formulation committee shall carefully examine the applicability of various points mentioned in the OM and incorporate the same before finalizing the RfP.
2	Ministry of Renewable Energy Order dated 23.09.2020 in respect of <u>renewable energy sector</u> (Order No. F. No. 283/22/2019-GRID SOLAR) (Attached as Doc B) pertaining to guidelines of following PPP-MII order for procurement of items (Solar PV Module, Solar Pump, Solar Street Light etc) for which MNRE is the nodal ministry.	<ul style="list-style-type: none"> • Only <u>Class-I local supplier</u> shall be allowed in bidding process for the items for which sufficient local capacity exist as per the Ministry order. • Minimum local content requirement (if any) pertaining to respective items shall be complied. • RfP Formulation committee shall carefully examine the applicability of various points mentioned in the OM and incorporate the same before finalizing the RfP.
3	Ministry of Power Order dated 17.09.2020 (Order No. 11/05/2018-Coord.) (Attached as Doc C) pertaining to guidelines of following PPP-MII order for procurement of items (<u>Energy Meter, Electric Motor, Control Cable etc</u>) for which MoP is the nodal ministry.	<ul style="list-style-type: none"> • Only <u>Class-I local supplier</u> shall be allowed in bidding process for the items for which sufficient local capacity exist as per the Ministry order. • Minimum local content requirement (if any) pertaining to respective items shall be complied. • RfP Formulation committee shall carefully examine the applicability of various points

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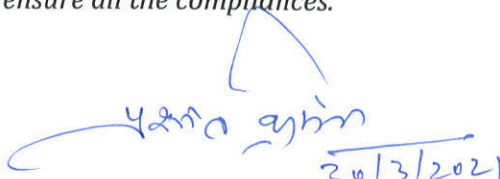
		mentioned in the OM and incorporate the same before finalizing the RfP.
4	MeitY Notification dated 07.09.2020 (Order No. F. No. W-43/4/2019-IPHW-MeitY) (Attached as Doc D) pertaining to guidelines of following PPP-MII order for procurement of items (<u>Desktops, Computers, PCs, LED Products etc</u>) for which MeitY is the nodal ministry.	<ul style="list-style-type: none"> • Only <u>Class-I local supplier</u> shall be allowed in bidding process for the items for which sufficient local capacity exist as per the Ministry order. • In procurement of all goods and services or works in respect of which there is sufficient local capacity and local competition as in attached <u>Annexure-I</u>, only "<u>Class-I local supplier</u>", shall be eligible to bid irrespective of purchase value. • In procurement of all goods, services or works not covered in above point (point which is mentioned just above this point), and with estimated value of purchases less than Rs.200 Crore, in accordance with Rule 161(iv) of GFR, 2017, Global Tender Enquiry (GTE) shall not be issued except with the approval of the competent authority as designated by Department of Expenditure. <u>Only 'Class-I local supplier' and 'Class-II local supplier'</u> shall be eligible to bid in procurement undertaken by procuring entities, except when Global Tender Enquiry has been issued. In Global Tender Enquiries, <u>'Non-local suppliers'</u> shall also be eligible to bid along with <u>'Class-I local supplier' and 'Class-II local supplier'</u>. • For procurement of <u>IT products</u> covered in this order, we may allow <u>'Class - I Local Supplier' and 'Class - II Local Supplier'</u> to bid in all domestic tender of IT related items. • For procurement of <u>LEDs products</u> covered under the same notification local capacity with sufficient competition exists therefore, in LEDs related domestic tender we may allow only <u>'Class - I Local Supplier'</u> to bid. • Minimum local content requirement (if any) pertaining to respective items shall be complied. • RfP Formulation committee shall carefully examine the applicability of various points mentioned in the OM and incorporate the same before finalizing the RfP.
5	Amendments / additions to the Policy for Providing Preference to Domestically Manufactured <u>Iron & Steel Products</u> in Government Procurement - revised, 2019 (Order No. S-13026/1/2020-IDD) (Attached as Doc E) pertaining to guidelines of following PPP-MII order for procurement of items (iron, steel and alloy products - clamps etc) for which MoS is the nodal ministry.	<ul style="list-style-type: none"> • Only <u>Class-I local supplier</u> shall be allowed in bidding process for the items for which sufficient local capacity exist as per the Ministry order. • Minimum local content requirement (if any) pertaining to respective items shall be complied. • RfP Formulation committee shall carefully examine the applicability of various points mentioned in the OM and incorporate the same before finalizing the RfP.
6	OM No F.No.6/18/2019-PPD dated: 23-07-2020 (Attached as Doc F) from Public Procurement Division, Department of Expenditure, Ministry of Finance regarding	<ul style="list-style-type: none"> • A <u>declaration</u> shall be taken mandatorily from all bidders wherein they shall confirm if they belong to countries which share land border with India and have registered themselves with competent authority for taking part in public procurement

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	restriction under Rule 144 (xi) of GFR 2017 pertaining to restrictions of bidders from countries sharing land borders with India.	process in India. Other bidders shall declare that they do not belong to countries which share land border with India.
7	OM No. F.9/4/2020-PPD dated: 12-11-2020 (Attached as Doc G), Procurement Policy Division, Department of Expenditure, Ministry of Finance regarding reduction in performance security from 5-10% to 3% in existing and upcoming tenders till 31.12.2021.	<ul style="list-style-type: none"> As per the OM directions, performance security shall be asked as 3% of the overall contract value for existing and upcoming tenders till 31.12.2021. Any deviation in this regard shall be properly put up and approved by competent authority as mentioned in the OM.
8	OM No. F.9/4/2020-PPD dated: 12-11-2020 (Attached as Doc H), Procurement Policy Division, Department of Expenditure, Ministry of Finance regarding taking bid security declaration in place of earnest money deposit.	<ul style="list-style-type: none"> As per the OM directions Bid Security Declaration shall be obtained in place of Earnest Money Deposit.
9	OM No. 21(5)/2019-P&G/Policy (pt.IV) dated: 06-08-2020 (Attached as Doc I), Office of Development Commissioner, Ministry of MSME regarding replacement of existing EM(Part-II)/UAM/New Udyam Registration.	<ul style="list-style-type: none"> EM(Part-II)/UAM shall continue to be valid upto 31-03-2021. After 31-03-2021 Udyam Registration shall be asked in place of UAM/EM(Part-II).

Note: The points mentioned in remarks column are principle selection amongst various other points/directions which shall be followed in respect of issued OMs/Orders by Ministry and Departments. RfP Formulation team shall carefully go through all OMs/Orders and ensure all the compliances.

This is issued with the approval of competent authority.


 20/3/2021
 (Prashant Kumar)
 Chief General Manager (SCM)

Enclosed:

- Order No. P-45021/2/2017-PP (BE-II) (Attached as Doc A) issued by Public Procurement Section, Department for Promotion of Industry and Internal Trade, Ministry of Commerce and Industry.
- Order No. F. No. 283/22/2019-GRID SOLAR) (Attached as Doc B) issued by Ministry of New & Renewable Energy.
- Order No. 11/05/2018-Coord. (Attached as Doc C) issued by Ministry of Power.
- Order No. F. No. W-43/4/2019-IPHW-MeitY) (Attached as Doc D) issued by MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY.
- Order No. S-13026/1/2020- IDD) (Attached as Doc E) issued by MINISTRY OF STEEL.
- Order No. F.No.6/18/2019-PPD dated: 23-07-2020 (Attached as Doc F) issued by Public Procurement Division, Department of Expenditure, Ministry of Finance.
- Order No. F.9/4/2020-PPD dated: 12-11-2020 (Attached as Doc G) issued by Procurement Policy Division, Department of Expenditure, Ministry of Finance.
- Order No. F.9/4/2020-PPD dated: 12-11-2020 (Attached as Doc H), Procurement Policy Division, Department of Expenditure, Ministry of Finance.

- Order No. 2/1(5)/2019-P&G/Policy (pt.IV) dated: 06-08-2020 (Attached as Doc I) issued by Office of Development Commissioner (MSME), Ministry of Micro, Small & Medium Enterprises.

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- BUH (Lighting), BUH (Growth), CGM (CP), CGM (EV), CGM (CSR), CGM (Operations-Growth), CGM (Operations-Lighting), CGM (IT), CGM (HR), CGM (Finance, Head (Sales), GM(CDP), GM (Legal), GM (Risk Management), GM (BD), GM (Commercial), AGM (MEEP), AGM(Institution), Regional Cluster Heads, Company Secretary

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- PS to MD for kind information of MD
- Dir (Commercial) and Dir (P&BD) for kind information
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Annexure-I

- **List of Items of Goods and Services**

Sr. No.	List of Items of Goods and Services
1.	Off Grid/Decentralized Solar Power 1. Solar Street Lights 2. Solar home lighting systems 3. Solar power packs 4. Micro grid 5. Solar Water Pumps 6. Inverters 7. Batteries 8. Other solar PV balance of system components for Off Grid/Decentralized solar power projects
2.	Grid connected Solar Power Projects 1. Solar modules 2. Solar inverters

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