

ARAVALI POWER COMPANY PRIVATE LIMITED

A Joint Venture of NTPC Ltd., HPGCL and IPGCL.
INDIRA GANDHI SUPER THERMAL POWER STATION



BIDDING DOCUMENTS

FOR

**PROCUREMENT OF 0.3 MMT OF IMPORTED COAL
FOR APCPL POWER PLANT**

VOLUME- I, II, III & IV

BIDDING DOCUMENT NO. : IGSTPP/CS/22-23/CRN-3907

(This document is meant for the exclusive purpose of bidding against this Bidding Document No. / Specification and shall not be transferred, reproduced or otherwise used for purposes other than that for which it is specifically issued.)

Acronyms

| | |
|-----------|--|
| C&F | Cost & Freight |
| CIF | Cost, Insurance and Freight |
| CTA | Coal Transportation Agency |
| FOR | Free On Rail |
| EDI | Electronic Data Interchange |
| EXW | Ex factory, ex works or ex warehouse |
| FOB | Free on Board |
| GCC | General Conditions of Contract |
| ICC | International Chamber of Commerce |
| ICS | Imported Coal Supplier |
| IFB | Invitation for Bids |
| ITB | Instructions to Bidders |
| UNCITRAL | United Nations Commission on International Trade Law |
| INCOTERMS | International Rules for Interpreting Trade Terms. |

Note : The terms EXW, FOB, C&F, CIF, FOR etc. shall be governed by the rules prescribed in the current edition of INCOTERMS, published by the International Chamber of Commerce, 38, Cours Albert 1er, 75008, Paris, France.

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INVITATION FOR BIDS (IFB)

DETAILED INVITATION FOR BIDS

Aravali Power Company Private Limited
(A Joint Venture of NTPC Ltd. , HPGCL and IPGCL)
INDIRA GANDHI SUPER THERMAL POWER STATION

INVITATION FOR BIDS (IFB) FOR PROCUREMENT OF 0.3 MMT OF IMPORTED COAL FOR APCPL POWER PLANT

(International Competitive Bidding)

Bidding Document No.: IGSTPP/CS/22-23/CRN-3907

Date: 09.02.2023

- 1.0 Aravali Power Company Private Limited (hereinafter referred to as APCPL or the Owner) have requirement of 0.3 MMT (+/-20%) imported coal of specifications given in Bidding Documents, on 'FOR Destination' basis at APCPL Jharli Power Plant.

APCPL invites online bids on Single Stage Three Envelope bidding basis (Envelope-I- Fee Cover, Envelope-II: Techno-Commercial Bid & Envelope-III: Price Bid) with Reverse Auction from eligible bidders for aforesaid Package, as per the Scope of Work mentioned hereinafter.

2.0 SCOPE OF WORK

Bidders shall declare the coal mine(s) outside India from where they are intending to supply coal as per specification, as per format enclosed in the bidding documents along with their bids. The Successful Bidder shall supply imported Steam Coal sourced from identified mine(s) as declared by him to APCPL power station, arranging vessels, stevedoring, handling, storage, port clearances, arranging Railway rakes, loading, transportation and delivery at APCPL power station. All activities including clearing and forwarding of the consignments like Customs Clearance, coordination with Ports, Railways and any statutory authorities shall also be part of Scope of Work of the Successful Bidder. All liaison, coordination with coal mine (s) outside India, coordination at load port, discharge port, Railways handling agents etc. shall also be part of Scope of Work of the Successful Bidder. Unloading of Coal at APCPL power station end from Railway Wagons shall be arranged by APCPL.

The detailed Scope of Work shall be as per Volume - III of Bidding Documents

- 3.0 APCPL intends to finance the subject package through Own Resources.
- 4.0 Detailed specifications, scope of work and terms & conditions are given in the bidding documents, which are available for examination and sale at the address given at para 11.0 below and as per the following schedule:

DETAILED INVITATION FOR BIDS

| | |
|--|--|
| Bidding Document No. | IGSTPP/CS/22-23/CRN-3907 |
| Start date of downloading of Bidding Documents | from 10.02.2023 |
| Last date for receipt of Queries from bidders (if any) | 15.02.2023 (11:00 Hrs) |
| Pre-bid conference date & time | Shall be conducted through VC on MS Teams on 16.02.2023, 1100 Hrs.(IST). |
| Last date for receipt of both Fee, Techno-Commercial bid (Envelope-II) and Price bid(Envelope-III) Bid Receipt Date & Time | 24.02.2023 up to 15:00 Hrs (IST) |
| Techno-Commercial bid opening Date & Time | 25.02.2023 at 15:00 Hrs (IST) |
| Cost of Bidding Document | Free Cost |

No Queries from Bidders, whatsoever, shall be entertained by the Employer beyond the last date of receipt of Queries as specified above.

Date & Time for opening of Price Bids shall be intimated separately to the bidders whose Techno-Commercial Bid are found to be acceptable.

- 5.0 All bids must be accompanied by Bid Security for an amount equivalent INR 5,00,00,000/- (Indian Rupees Five Crores Only) or in US\$ 6,00,240/- (US Dollars Six Lakh Two hundred forty only).

"ANY BID NOT ACCOMPANIED BY AN ACCEPTABLE BID SECURITY IN A SEPARATE SEALED ENVELOPE SHALL BE REJECTED BY THE EMPLOYER AS BEING NON-RESPONSIVE AND SHALL NOT BE OPENED. IN CASE, THE BID SECURITY IS SUBMITTED THROUGH ELECTRONIC FUND TRANSFER (EFT), BIDDER TO SUBMIT THE PROOF OF E-PAYMENT OF BID SECURITY EITHER IN SEPARATE SEALED ENVELOPE OR IN THE E-TENDERING PORTAL."

5.1 The bid security at Bidder's option, be in form of a Crossed Demand Draft or Banker's cheque in favour of APCPL payable at Jharli/Bahadurgarh or a Bank Guarantee (BG) as per Annexure C from any bank specified in Annexure-D1 of Volume –IV. In case of foreign bidders, the bid security can be from any other bank also in addition to Bank specified in Annexure-D1 in Volume –IV. If the Bank Guarantee is from a Bank not specified in Annexure-D1 in Volume –IV, then the Bank Guarantee shall be confirmed by any of the bank, specified in the Annexure-D1 in Volume-IV. The format of the Bank Guarantee shall be in accordance with the form of bid security included in the bidding documents.

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5.1.1 In case of Bidders opting for Bank Guarantee as Bid Security but unable to send the Original Bank Guarantee in physical form at the tender opening location, following shall be applicable:

(i) The issuing bank shall intimate through their own official e-mail id to APCPL C&M department with a copy to Bidder regarding issuance of BG along with following documents:-

- (a) The scanned copy of the BG.
- (b) SFMS message acknowledgement copy sent to APCPL banker stating the date of sending.
- (c) An undertaking through official e-mail ID of Bank as per format as enclosed below:

Format of Undertaking

(To be sent by Issuing Bank through official e-mail id)

From: xxxbank@xx.in
To: hodcnm@apcpl.co.in

We have issued BG No. _____ dated _____ for an amount of Rs. _____ on behalf of _____ towards Bid Security / EMD for Tender No _____ in favor of APCPL.

Please find enclosed the soft copy of the Bank Guarantee and SFMS acknowledgement. The SFMS is sent on _____(date).

We undertake to send the original BG to _____ (*name of tendering location*) directly once postal / courier services are restored and that APCPL's claim will be binding on us without the physical copy.

We undertake not to cancel the aforementioned BG No. _____ without written consent / instruction from APCPL.

(Name of Bank Official)

Authority No.

d) SFMS message must be sent to the Employer's bank whose details are mentioned in Bidding documents.

(ii) Bidders shall be required to upload the scanned copy of the BG on GePNIC / e-tendering portal.

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5.2 The bid security can also be submitted through wire transfer. Bank details are as follows:

Details for remittance of EMD by Indian Bidder :

- **Account Name:** ARAVALI POWER COMPANY PVT LTD
- **Bank Account No:** 0035009800000027
- **Location:** BAHADURGARH, HARYANA
- **Bank:** PUNJAB NATIONAL BANK
- **Branch:** RAILWAY ROAD
- **ISFC Code :** PUNB0003500
- **MICR Code :** 110024204
- **Type of A/c :** CASH CREDIT
- Bank charges to be born by remitter.

Details for remittance of EMD by foreign Bidder :

- i) Correspondent Bank Name – CITIBANK NA
- ii) Correspondent Bank Swift Code – CITIUS33
- iii) For Credit to
 - A) Beneficiary Bank – Punjab National Bank, Treasury Division, Mumbai India
 - B) Beneficiary Bank SWIFT Code- PUNBINBBISB
 - C) Beneficiary Bank Account Number-36003588
- iv) For further credit to
 - a) Ultimate beneficiary - Aravali Power Company Private Limited
 - b) Ultimate Beneficiary Bank Account Number- **0035009800000027**
- Bank charges to be borne by remitter.

While carrying out online transfer, Bidders shall ensure to enter “EMD - Tender No.-Vendor Name” in the Text / Remarks / Reason field. Bidder shall intimate the details of same through email to concerned C&M department along with Payment Receipt and also upload the payment receipt & the details in the “Fee” folder in GepNIC in the following format:

Declaration for EMD

Tender No. :
Vendor Name :
UTR Reference :
Amount:
Date of Transfer:
Transferor Bank:

(Signature of Vendor with Seal)

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6.0 QUALIFYING REQUIREMENT FOR BIDDERS

The Bidder can be an individual firm meeting the qualifying requirements stipulated hereunder as per Clauses A and B;

OR

The Bidder can be a Consortium of maximum three (03) firms meeting the qualifying requirements stipulated hereunder as per Clauses A and B collectively.

Each partner of Consortium shall meet at least 25% of Technical Criteria Requirement mentioned at Clause A1 or Clause A2 or at least 25% of the Financial Criteria Requirement mentioned at Clause B. Net worth criteria shall be as mentioned at Clause B (ii).

The Consortium shall necessarily identify one of the Partners as lead Partner who shall meet on its own at least 51% of one of the Technical Criteria mentioned at clause A1 and Clause A2 and at least 51% of Financial Criteria mentioned at Clause B. Net worth criteria shall be as mentioned at Clause B (ii).

In case, lead partner of Consortium meets on its own, at least 51% of only one of the Technical Criteria mentioned at clause A1 or A2, then one partner other than lead partner shall have to meet at least 51 % of the remaining Technical Criteria.

A Technical Criteria for Bidder:

- A1 The Bidder should have imported / exported and supplied a minimum of 0.13 MMT of any dry bulk (solid) commodity, like Coal, Iron ore, Fertilizers, Chemicals, Cement etc. of origin other than India to any firm, in any continuous twelve (12) months in one or multiple contracts during the preceding five (5) financial years along with the current financial year up to date of Techno-Commercial bid opening.

In support of the aforesaid experience, the Bidder shall furnish:

- a) Supply Experience certificate from purchaser, and;
- b) Certificate in original from Statutory Auditor(s) of the Bidder.

AND

- A2 The Bidder should have handled, including port operations and loading for despatch through Indian Railways, a minimum of 0.13 MMT of any dry bulk (solid) commodity, like Coal, Iron ore, Fertilizers, Chemicals, Cement etc. in India, in any continuous twelve (12) months in one or multiple contracts during the preceding five (5) financial years along with the current financial year up to date of Techno-Commercial bid opening.

In support of the aforesaid experience, the Bidder shall furnish:

- a) Handling Experience certificate from the purchaser, and;
- b) Certificate in original from the Statutory Auditor(s) of the Bidder.

DETAILED INVITATION FOR BIDS

B. Financial Criteria for Bidder:

- i. The average annual turnover of the Bidder in the preceding three (3) financial years as on the date of Techno-Commercial bid opening should not be less than INR 296.32 Crore (Indian Rupees Two Hundred Ninety Six Crore and Thirty Two Lakh Only) or in equivalent foreign currency.

In case a bidder does not satisfy the annual turnover criteria, stipulated above on its own, its holding company would be required to meet the stipulated turnover requirements as above, provided that the Net worth of such holding company as on the last day of the preceding financial year is at least equal to or more than the paid-up share capital of the holding company. In such an event, the bidder would be required to furnish along with its Techno-Commercial Bid, a letter of undertaking from the holding company, supported by the holding company's board resolution, as per the format enclosed in the bid documents, pledging unconditional and irrevocable financial support for the execution of the contract by the bidder in case of award. In case a bid submitted by a consortium, all the partners of consortium shall be collectively required to meet the turnover criteria.

- ii. The Net worth of the bidder should not be less than 100% (hundred percent) of its paid up share capital as on the last day of the preceding financial year on the date of techno commercial bid opening. In case the bidder does not meet the Net worth criteria on its own, it can meet the requirement of Net worth based on the strength of its subsidiary(ies) and/or holding company and/or subsidiaries of its holding company, wherever applicable. In such case, the Net worth of the Bidder and its subsidiary (ies) and/or Holding Company and/or subsidiary (ies) of the Holding company, in combined manner should not be less than 100% (hundred percent) of their total paid up share capital. However individually their Net Worth should not be less than 75% (seventy five percent) of their respective paid-up share capitals. For a consortium, the net worth of all consortium members in combined manner should not be less than 100% (hundred percent) of their paid up share capital however individually their net worth should not be less than 75% (seventy five percent) of their respective paid up share capitals.

Net worth in combined manner shall be calculated as follows:

$$\text{Net worth (combined)} = (X1+X2+X3) / (Y1+Y2+Y3) \times 100$$

where X1, X2, X3 are individual Net worth which should not be less than 75% of the respective paid up share capitals and Y1, Y2, Y3 are individual respective paid up share capitals.

- iii. In case the Bidder is not able to furnish its audited financial statements on standalone entity basis, the un-audited unconsolidated financial statements of the Bidder can be considered acceptable provided the Bidder further furnishes the following documents for substantiation of its qualification:

DETAILED INVITATION FOR BIDS

- a. Copies of the un-audited unconsolidated financial statements of the Bidder along with copies of the audited consolidated financial statements of its Holding Company.
 - b. A certificate from the CEO/CFO of the Holding Company, as per the format enclosed in the bid documents, stating that the un-audited unconsolidated financial statements form part of the Consolidated Annual financial statements of the Company.
- iv. In cases where audited results for the last financial year as on the date of Techno-commercial bid opening are not available, the financial results certified by a practicing chartered accountant shall be considered acceptable. In case, the Bidder is not able to submit the Certificate from a practicing chartered accountant certifying its financial parameters, the audited results of three consecutive financial years preceding the last financial year shall be considered for evaluating the financial parameters. Further, a Certificate would be required from the CEO/CFO as per the format enclosed in the bidding documents stating that the Financial results of the Company are under audit as on the date of Techno-commercial bid opening and the Certificate from the practicing Chartered Accountant certifying the financial parameters is not available.

NOTES:

- i) Net Worth means the sum total of the paid up share capital and free reserves. Free reserve means all reserves credited out of the profits and share premium account but does not include reserves credited out of the revaluation of the assets, write back of depreciation provision and amalgamation. Further, any debit balance of Profit and Loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from Reserves and Surplus.
- ii) Other income shall not be considered for arriving at annual turnover.
- iii) "Holding Company" and "Subsidiary Company" shall have the meaning ascribed to them as per Companies Act of India.
- iv) For turnover indicated in foreign currency, the exchange rate as on seven days prior to the date of Techno-Commercial bid opening shall be used.
- v) The term 'date of bid opening' would mean the date of Techno-Commercial bid opening.
- vi) A firm can be a partner in only one Consortium; bids submitted by Consortium including the same firm as partner will be rejected.
- vii) The Consortium shall necessarily identify one of the partners as lead partner.
- viii) The Consortium Bidder shall provide, along with the bid, a Consortium Agreement, as per the format enclosed in the bid documents in which the partners of the Consortium are jointly and severally liable to the Owner to perform all the contractual obligations. The Consortium Agreement shall be submitted along with the bid, failing which the Bidder shall be disqualified and his bid shall be rejected.

- ix) In case of Consortium, the bid security and in the event of award to Consortium the performance bank guarantee, shall be in the name of all the partners of the Consortium.
- x) Dry (bulk) solid commodity mentioned at A above means dry solid bulk cargo covered in Appendix 4 (page 352 to 358) of International Maritime Solid Bulk Cargoes (IMSBC) code MSC 84/24/Add.3.

7.0 APCPL reserves the right to reject any or all bids or cancel/withdraw the Invitation for Bids without assigning any reason whatsoever and in such case no bidder / intending bidder shall have any claim arising out of such action.

8.0 A complete set of Bidding Documents may be downloaded by any interested Bidder from APCPL e-tender website <https://etenders.gov.in/eprocure/app> at free of cost.

For logging on to the e-Tender Site <https://etenders.gov.in/eprocure/app> , the bidder would require user ID, password and Class-III Digital Signature.

For downloading of bidding document, procedure for submission of bids & Reverse Auction methodology, bidders may please refer to the link "Bidders Manual Kit" given on home page of APCPL's e-tender website <https://etenders.gov.in/eprocure/app> .

Note: No hard copy of Bidding Documents shall be issued.

In case of Consortium, at least one of the Partner of the consortium must have purchased the bidding documents in his name.

9.0 Any 'Bidder from a country which shares a land border with India', as specified in the Bidding Documents, will be eligible to bid in this tender only if bidder is registered with the Competent Authority as mentioned in the Bidding Documents.

However, the said requirement of registration will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects.

10.0 Issuance of bidding documents to any bidder shall not construe that such bidder is considered to be qualified. Bids shall be submitted online and opened at the address given below. Bidder's attendance during the Techno-Commercial Bid opening and Price Bid opening in APCPL premises is not envisaged.

Transfer of Bidding Documents purchased by one intending Bidder to another is not permissible.

11.0 **Address for communication:**

AGM(C&M)/DGM(C&M)

Aravali Power Company Private Limited

Indira Gandhi Super Thermal Power Station

Place - Jharli,

District Jhajjar

Haryana, India, Pin- 124141

Tel. No. +91-1251-266238/336/266334/225

e-mail: hodcnm@apcpl.co.in

amitsaikia@ntpc.co.in

prashantgupta@ntpc.co.in

Websites: www.apcpl.co.in

Fax No: +91-1251-266202

Websites: <https://etenders.gov.in/e procure/app> or www.apcpl.co.in or

www.ntpctender.com

12.0 **Registered Office**

Aravali Power Company Private Limited

NTPC Bhawan, SCOPE Complex, 7,

Institutional Area, Lodhi Road,

New Delhi – 110003

Corporate Identification Number: U40105DL2006PTC156884

Website: www.apcpl.co.in