

BARMER LIGNITE MINING COMPANY LIMITED
[A Joint Venture between Rajasthan State Mines & Minerals Ltd.(RSMML) and JSW Energy (Barmer) Ltd.(JSWEL)]

NOTICE INVITING TENDER (NIT)

FOR

**DEVELOPMENT AND OPERATION OF JALIPA AND KAPURDI LIGNITE BLOCK,
STATE OF RAJASTHAN, INDIA**

(Domestic Competitive Bidding)

NIT No/ Bidding Doc. No: CS-9925-602-9

Date: 21.06.2019

- 1.0** NTPC Limited (NTPC) on behalf of Barmer Lignite Mining Company Limited (BLMCL) invites online bids on **Single Stage Two Envelope bidding basis (Envelope-I: Techno-Commercial Proposal & Envelope-II: Price Proposal) with Reverse Auction** from eligible bidders for Development and Operation of Jalipa and Kapurdi Lignite Block, State of Rajasthan, India, as per the Scope of Work mentioned hereinafter.
- 2.0** **Scope of Work:** The scope of work shall be as specified in the tender documents, which may be downloaded from our e-tender website <https://eprocurentpc.nic.in>.
- 3.0** Detailed scope of work, specifications and terms & conditions are given in the bidding documents which are available for examination and sale at the address given below as per the following schedule:

Commencement of Sale of Bid Documents	21.06.2019
Last date for receipt of queries from bidders (if any)	05.07.2019 till 1730 Hrs.
Pre-bid Conference	05.07.2019 at 1430 Hrs
Last date for receipt of Bids [Both Techno-Commercial Proposal (Envelope-I) and Price Proposal (Envelope-II)]	22.07.2019 upto 1500 Hrs.
Techno-Commercial Proposal (Envelope-I) Opening Date & Time	24.07.2019 at 1530 Hrs.
Cost of Bidding Document	₹ 22,500/- (Indian Rupees Twenty Two Thousand Five Hundred only) per set for Indian Bidders.

The date of opening of Envelope-II (Price Proposal) and Reverse Auction shall be intimated separately by NTPC.

- 4.0** All bids must be accompanied by Earnest Money Deposit for an amount of **INR 20,24,20,000 (Indian Rupees Twenty Crore Twenty Four Lakh Twenty Thousand only)** in the form as stipulated in bidding documents.

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 RETURNED TO THE BIDDERS WITHOUT BEING OPENED.

5.0 Qualifying Requirements

In addition to the satisfactory fulfillment of the requirements stipulated under Section ITB, the following shall also apply:

5.1 Technical Criteria

5.1.1 The Bidder should have, in the preceding 7 (seven) years reckoned from the date of opening of the Techno-commercial Bids developed & operated single coal / lignite mine having coal/lignite reserves of at least 150 million tonnes & annual capacity of at least 6 MTPA and produced at least 2 million tonnes of coal/lignite from such mine.

OR

5.1.2 The Bidder should have, in the preceding 7 (seven) years reckoned from the date of opening of the Techno-commercial Bids, operated and produced:

- a) At least 30 Million BCM of aggregated volume of overburden and/ or coal/ lignite from a maximum of seven open cast mines of Coal / Lignite, in any year.
- b) At least 15 Million BCM of composite volume of overburden and coal/lignite from single open cast mine in any year, out of which at least 1.5 million tonnes shall be coal / lignite.

The qualifying works at clause 5.1.2(a) can be from same mine or different mines including the mine considered to meet qualifying requirement at clause 5.1.2(b).

5.2 Financial Criteria

- a) Net Worth of the Bidder as on the last day of the preceding Financial Year, shall not be less than **Indian Rupee (INR) 150 Crore (INR One Hundred Fifty Crore only)** or in equivalent foreign currency, and it should also be ensured that the Net Worth shall be equal to or more than 100% of its paid up share capital.

Note:

Net Worth shall be calculated as the sum total of the paid up share capital and free reserves. Where, Free reserves shall mean all reserves credited out of the profits and share premium account as reduced by miscellaneous expenditure to the extent not written off; but does not include reserves credited out of revaluation of assets.

And

- b) The annual Cash Accrual of the Bidder in any one of the preceding four completed Financial Years reckoned from date of opening of the Techno- commercial bids shall not be less than INR 50 Crore (INR Fifty Crore Only) or in equivalent foreign currency. The Bidder must have a positive cash accrual in the immediate preceding Financial Year.

Note:

“Cash Accrual” shall mean the net cash flow from operations i.e. PAT + Depreciation -Dividend.

And

- c) The annual turnover of the Bidder in any one of the preceding four completed Financial Years reckoned from date of opening of the Techno – commercial bids

shall not be less than INR 500 Crore (INR Five Hundred Crore only) or in equivalent foreign currency.

Note:

"Annual Turnover" shall mean the aggregate of total income from operations, other operating income and other income.

5.3 ROUTES

The Bidder shall be either a single corporate entity or a consortium of up to three corporate entities and may follow any one of the following routes;

5.3.1 ROUTE – 1

Bidder fulfils all the requirements at Clause 5.1 & 5.2 on its own.

5.3.2 ROUTE –2

- i. In case a Bidder does not meet the requirement of clause 5.1 & 5.2 above on its own, it can quote on the basis of experience of its Subsidiary (ies) and /or Holding Company and/or Subsidiaries of its Holding Company. In such a case the consolidated experience of Bidder and its Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding company shall be considered, as applicable.

However, Bidder on its own should meet either Technical Criteria at clause 5.1, or financial criteria at Clause 5.2 above.
- ii. The Bidder, who meets the requirements of clause 5.2 on its own and meets the requirement of Clause 5.1 above based on the strength / experience of its Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding company will be required to furnish a legally enforceable Joint Operating Agreement (JOA) executed between the Bidder and its Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding company extending experience / strength to the Bidder along with its Techno-commercial Bid, valid for at least 5 years, which will have to be extended till such time the mine achieves 85% of the contracted capacity of the project, as per the formats enclosed in the bidding documents. The number of executants of the JOA shall not exceed three including the Bidder. Further each of the executants of the JOA other than the Bidder shall be required to submit a performance guarantee equivalent to 1% of the estimated annual contract value towards the faithful performance of terms & conditions contained in JOA as per the format specified in the bidding documents. These performance guarantee(s) shall be in addition to the Contract Performance Guarantee to be submitted by the Bidder as per bidding documents and shall be kept valid and operative till 90 days after the expiry of the validity of JOA.
- iii. The Bidder who meets the requirements of clause 5.1 on its own and meets the requirement of clause 5.2 based on the strength / experience of its Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding company will be required to furnish along with its Techno-commercial Bid, a Letter of Undertaking from the Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding company, supported by Board Resolution of such company(ies), 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. The number of such Subsidiary (ies) and/or Holding Company and/or Subsidiaries of its Holding company lending strength/experience to the Bidder shall not exceed three including the Bidder.

5.3.3 ROUTE –3 (Consortium)

- i. Bidder may be a Consortium of up to three corporate entities and should collectively meet the requirement of technical criteria mentioned at clause 5.1 above. For Bidders who are qualified as per clause 5.1.2, requirement of clause 5.1.2 (b) should be met by at least one of the consortium partners.
- ii. All the Consortium members shall select one of the members as the “leader” who should meet on its own financial criteria mentioned at clause 5.2 above.
- iii. Each member of the consortium should meet either
 - a. Technical criteria at clause 5.1.1
 - or
 - b. At least 20% of the technical criteria at clause 5.1.2 (a) i.e 6 Million BCM of aggregated volume of overburden and/ or coal/ lignite from a maximum of seven open cast mines of Coal / Lignite, in any year. However the total number of mines to be considered for meeting the technical criteria at clause 5.1.2(a) collectively by all consortium members shall not exceed seven.
 - or
 - c. At least 20% of the absolute value(s) of the Financial Criteria mentioned at clause 5.2 above.
- iv. In this route, none of the consortium members will be allowed to draw any technical or financial strength from its Subsidiary (ies) and/or Holding Company.
- v. Each of the Consortium members will be required to furnish a legally enforceable Consortium Operating Agreement (COA) along with Techno-commercial Bid holding themselves jointly & severally responsible and liable to Owner to perform all contractual obligations, valid for the entire period of contract, as per the format enclosed in the bidding documents. The number of executants of the COA should not exceed three.

NOTES:

- i. The word “operated” means that the Bidder should have performed the necessary activities of excavation, hauling, etc. on its own or through sub-contracting.
- ii. The word “developed” means that the Bidder should have performed the necessary activities of Land Acquisition / assisted in Land Acquisition, Statutory clearances/assisted in Statutory clearances and carried out ‘Infrastructure development’ on its own or through sub-contracting.
- iii. “Infrastructure development” as per (ii) above means construction of Buildings, Workshops, in a coal/lignite mine.
- iv. “Aggregate” means combination of overburden and / or minerals (any one or more) from one or more opencast mines of minerals (maximum of seven mines).
- v. The word “overburden” shall also include “inter-burden provided it is measured and accounted separately.”

- vi. The word “composite” means that the Bidder should have produced both overburden and coal/lignite from the same mine.
- vii. For Coal/Lignite, following specific gravity (tonnes/cubic meters) shall be considered:

COAL	LIGNITE
1.50	1.14

- viii. For criteria at clause 5.1 in case the Bidder is seeking qualification as a mine owner, the volume of overburden/coal/lignite production should be certified by Statutory Auditor of the Bidder.
- ix. For criteria at clause 5.1, in case the Bidder is seeking qualification as a mine operator under a contract, the Bidder should submit a copy of the Contract Agreement and a certificate of production of Overburden/coal/lignite and certificates for activities of Land Acquisition/Statutory Clearances & Infrastructure development from the Owner.

Alternatively, a certificate from the Statutory Auditor of the Bidder certifying the volume of overburden/coal/lignite production and certificates for activities of Land Acquisition/Statutory Clearances & Infrastructure development can also be submitted.

- x. “Holding Company” and “Subsidiary” shall have the meaning ascribed to them as per Companies Act, in vogue.
- xi. In case the Bidder is not able to furnish its audited financial statements on stand alone entity basis, the unaudited unconsolidated financial statements of the Bidder can be considered acceptable provided the Bidder further furnishes the following documents for substantiation of its qualification:
 - i. Copies of the unaudited unconsolidated financial statements of the Bidder along with copies of the audited consolidated financial statements of its Holding Company.
 - ii. A Certificate from the Chief Executive Officer (CEO)/Chief Financial Officer (CFO) of the Holding Company, as per the format enclosed in the bidding documents, stating that the unaudited unconsolidated financial statements form part of the Consolidated Financial Statements of the Company.

In case where audited results for the last preceding financial year are not available, certification of financial statements from a practicing Chartered Accountant shall also be considered acceptable.

The provisions of this Note (xi) shall also be applicable for Subsidiary Company/ Holding Company / subsidiary of Holding Company / Consortium Members.

- xii. For Cash Accrual, Net worth and Turnover indicated in foreign currency, the exchange rate as on 7 days prior to the date of opening of Techno-commercial bid shall be used
- xiii. ‘year’ as per Clause 5.1 and 5.3.3(iii)(b) means a continuous period of 365 days..

6.0 NTPC 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.

- 7.0** A complete set of Bidding Documents may be downloaded by any interested Bidder from NTPC e-tender website <https://eprocurrentpc.nic.in>. **Tender Fee** towards the cost of bidding documents shall be submitted in the form of a crossed Demand Draft/Pay Order/Bankers Cheque for an amount of **INR 22,500/-** in favour of **“Barmer Lignite Mining Company Limited, Jaipur”**.

For logging on to the e-Tender Site <https://eprocurrentpc.nic.in>, 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 NTPC’s e-tender website <https://eprocurrentpc.nic.in>.

- 7.1** Issuance of bid documents to any bidder shall not construe that such bidder is considered to be qualified. Bids shall be submitted and opened at the address given below.

8.0 Address for communication:

AGM / Sr. Manager / Manager
Contract Services
NTPC Limited, 6th Floor,
Engineering Office Complex,
Plot No.- A-8A, Sector-24, NOIDA (State of Uttar Pradesh)
PIN - 201301
Ph. No: +91-120- 3776664/ 3776605/ 3776627
Fax Nos. : + 91-120-2410215 / 2410011
Email: sanjaydeodhar@ntpc.co.in, gstrandhawa@ntpc.co.in; abhayanand@ntpc.co.in;

Websites: <https://eprocurrentpc.nic.in> or www.ntpctender.com or www.ntpc.co.in

- 9.0 Registered Office: Barmer Lignite Mining Company Limited, “Khanij Bhawan”, Udyog Bhawan Campus Tilak Marg, C-Scheme, Jaipur – 302005, Rajasthan, India, Corporate Identification Number: U14109RJ2007SGC023687, Web site: www.blmcl.in**