

GLOBAL INVITATION

PRE-QUALIFICATION (PQ)

FOR

WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT AT SHAHJAHANPUR,
UTTAR PRADESH, INDIA

(PQ BOOKLET NO.: PNMM/PC283/PQ/001)



Krishak Bharati Cooperative Limited (KRIBHCO)

PREPARED & ISSUED BY



PROJECTS & DEVELOPMENT INDIA LTD.
(A Govt. Of India Enterprise)
PDIL BHAWAN, A-14, SECTOR-1,
NOIDA U.P. (INDIA)

December, 2022

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ISSUE LETTER

FOR

PQ BOOKLET

(GLOBAL INVITATION)

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NAME OF PROJECT: WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT AT SHAHJAHANPUR, UTTAR PRADESH

PQ BOOKLET NO. PNMM/PC283/PQ/001

DATED: 23-12-2022

BRIEF SCOPE OF WORK:

SUPPLY OF PROCESS LICENSE, BASIC DESIGN, DETAILED ENGINEERING, PROCUREMENT, SUPPLY, MANUFACTURE, FABRICATION, INSPECTION BY THIRD PARTY INSPECTION AGENCY (TPI) AS APPLICABLE, EXPEDITING, INSURANCE, TRANSPORTATION OF ALL EQUIPMENT & MATERIAL TO SITE INCLUDING LOADING, UNLOADING, STORAGE, MAINTENANCE, CONSTRUCTION AND ERECTION OF ALL CIVIL, MECHANICAL, ELECTRICAL AND INSTRUMENTATION WORKS, INSTALLATION, OBTAINING ALL NECESSARY STATUTORY APPROVALS FROM CONCERNED GOVERNMENT AUTHORITIES AS APPLICABLE, TESTING, MECHANICAL COMPLETION, PRE-COMMISSIONING, COMMISSIONING, PERFORMANCE GUARANTEE TEST RUNS INCLUDING TOTAL PROJECT MANAGEMENT AND HANDING OVER OF WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT AND ITS ASSOCIATED OFF SITES & UTILITY FACILITIES ON LSTK (SINGLE POINT RESPONSIBILITY) BASIS AT SHAHJAHANPUR, UTTAR PRADESH.



Projects & Development India Limited (PDIL), for and on behalf of, M/s Krishak Bharati Cooperative Limited (KRIBHCO), has the pleasure of inviting eligible bidders to submit Pre-Qualification (PQ) Bids for the subject work in accordance with guidelines prescribed in PQ booklet. The PQ booklet is placed on the website of PDIL/ KRIBHCO (www.pdil.com/) (www.kribhco.net).

1.0 INTRODUCTION:

1.1 Krishak Bharati Cooperative Limited (KRIBHCO or OWNER) is recognized as one of the most successful integrated agricultural input brands in India. They are ranked amongst one of the the largest fertilizer companies in India. KRIBHCO is mainly in the business of manufacturing and marketing of Urea, Ammonia, bio fertilizers, compost fertilizers, certified seeds, hybrid seeds and allied farm services.

KRIBHCO as a business strategy is planning to extend its profile much beyond fertilizers through a process of horizontal integration in Chemicals/Petrochemicals and other sectors. In this regard, Weak Nitric Acid (WNA) and Ammonium Nitrate (AN) have been identified as the prospective products by KRIBHCO. The outputs from the complex will cater to the nearby areas and bridge the demand & production gap in the region.

1.2 KRIBHCO proposes to set up a Green field Weak Nitric Acid (WNA) & Ammonium Nitrate (AN) Solution plant along with Prill manufacturing Plant along with necessary offsite & utility facilities, bagging plant, Product storages & utilities etc. at Shahjahanpur, Uttar Pradesh. **The primary raw material ammonia shall be made available through pipeline from existing ammonia plant of KRIBHCO's 100% owned subsidiary located adjacent to proposed facility.** The WNA-AN complex will be executed on Lump sum Turnkey (LSTK), single point responsibility basis. Project shall be capable to deliver Ammonium Nitrate Prill complying with the specifications mentioned in Technical NIT.

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1.3 Broadly, the project will comprise the following plants and facilities:

- 300 TPD Weak Nitric Acid (WNA) Plant (as 100% HNO₃)
- 300 TPD Ammonium Nitrate (AN) Solution with Prill Plant
- Product storage , Bagging and Truck Loading facilities.
- Associated utilities & offsites facilities.

1.4 **OWNER has retained Projects & Development India Ltd. (PDIL) as the Consultant for the Project.**

2.0 LOCATION OF THE PROJECT SITE

2.1 The proposed project will be located at Shahjahanpur, Uttar Pradesh State of India.

The proposed WNA-AN Plant Complex is located at adjacent to existing Ammonia-urea complex of Kribhco Fertilizers Limited (KFL), a wholly owned subsidiary of KRIBHCO. The land for the Proposed Plant complex is allotted by Uttar Pradesh State Industrial Development Authority (UPSIDA) to KRIBHCO. The project is based on surplus ammonia available with KFL through pipeline to proposed site.



(Nearest City and Village	Shahjahanpur at a distance of 15 km
Nearest Railway station	Shahjahanpur at a distance of 15 KM approx.
Nearest Airport	Lucknow (Domestic & International)~ km at approx. 175 KM

3.0 Pre-qualification (PQ) Bids are hereby invited from competent bidders with sound technical and financial capability meeting the respective pre-qualification requirement as per Instructions to Bidders.

4.0 Pre-qualification (PQ) booklet can be downloaded from PDIL website (www.pdilin.com) and KRIBHCO (www.kribhco.net).



5.0 Evaluation of Pre-Qualification shall be carried out as specified in pre-qualification booklet.

6.0 PQ Booklet, downloaded from above websites and duly signed and stamped by the authorized official along with PQ Bids with all information and supporting documents shall be submitted **in Five copies(1 original + 4 copies + 1 USB(soft format of PQ) to Mrs. Anjali Thakur, Deputy General Manager (M.M), Projects & Development India Ltd., PDIL Bhawan, A-14, Sector-1, NOIDA – 201301, Distt. GautamBudh Nagar (U.P) latest by 12:00 Hrs. IST on 30th December 2022.** The bid will be opened on same day at 16.30 Hrs IST. Bidders shall ensure submission of complete information / documentations in the first instance itself. Prequalification may be completed based on the details so furnished without seeking any subsequent additional information. The soft copy of the PQ bid submitted in USB form shall be in a non-editable secured format. The Bidder shall submit an undertaking along with the PQ bid that the information submitted in the USB form is a true copy of the PQ bid submitted in hard copy form.

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7.0 SALIENT FEATURES OF PQ DOCUMENT

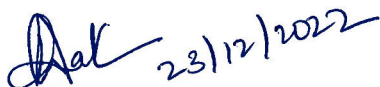
7.1	PQ Booklet No	PNMM/PC283/PQ/001 dated 23 December 2022
7.2	Last Date & Time for Submission of Pre-Qualification Bid	30 th December, 2022, 12.00 hrs (IST)
7.3	Date & Time of opening of Pre-Qualification Bid	30 th December, 2022, 16.30 hrs (IST), Venue: PDIL Bhawan, Noida
7.4	Address for Communication	<p>A) M/s Krishak Bharati Cooperative Limited KRIBHCO BHAWAN, A-10, Sector-1, Noida-201301 Distt. GautamBudh Nagar Uttar Pradesh</p> <p>Kind Attention : Mr. S L Pandya, General Manager (Project) Tel No. :0120-2543762 E-mail :slpandya@kribhco.net</p> <p>B) M/s Projects & Development India Limited, (Materials Management Department) P.D.I.L Bhawan, A-14, Sector-1, Noida, (PIN 201301) Dist. GautamBuddh Nagar (UP). (India)</p> <p>Kind Attention: Mrs. Anjali Thakur, DGM (M.M), Tel no. : +91-120-2529842 (Extn: 340) Mob no.:+91-95997-66149 E-mail : anjali@pdilin.com amitvarshney@pdilin.com</p>
7.5	Bids to be submitted at	<p>M/s Projects & Development India Limited, (Materials Management Department) P.D.I.L Bhawan, A-14, Sector-1, Noida, (PIN 201301) Dist. GautamBuddh Nagar (UP). (India)</p> <p>Kind Attention: Mrs. Anjali Thakur, DGM (M.M), Tel no. : +91-120-2529842 (Extn: 340) Mob no.:+91-95997-66149</p> <p>E-mail : anjali@pdilin.com amitvarshney@pdilin.com</p>

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- 8.0 Submission of PQ booklet and/or submission of PQ bids by itself shall not amount to pre-qualification or entitle the Bidder to participate in the bidding.
- 9.0 OWNER / Consultant will not be responsible for any costs or expenses incurred by the Bidder in connection with preparation or delivery of PQ Bids including costs and expenses incurred by the Bidder during prequalification.
- 10.0 Submission of PQ bids vide -e-mail shall not be accepted. The PQ Bids submitted shall be signed and sealed in Original. Advance copy as scanned document may be submitted through email. To the extent possible documents shall be submitted in original duly signed by authorized representative. For others Xerox copies of documents duly authenticated and signed in original by authorized representative of the Bidder shall be submitted.
- 11.0 OWNER / Consultant reserve the right to reject any or all PQ bids at their sole discretion without assigning any reason whatsoever.
- 12.0 Canvassing in any form by the Bidder or by any other Bidder on their behalf may lead to disqualification of their PQ bid.
- 13.0 Clarification, if any, can be obtained from Deputy General Manager (Materials Management) on E-mail ID :anjali@pdilin.com, amitvarshney@pdilin.com; -Telephone No. +91-120-2529842 (Extn: 340), Mob no.:+91-95997-66149 citing reference of PQ Booklet.

PQ bid shall be submitted on or before the deadline indicated for the same.

**For & on behalf of
Projects & Development India Ltd. (PDIL)**


(ANJALI THAKUR)
Deputy General Manager (M.M)



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**INSTRUCTIONS
TO
BIDDERS**

	<p style="text-align: center;">PRE-QUALIFICATION BOOKLET FOR WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT AT SHAHJAHANPUR, UTTAR PRADESH</p>	DOC. NO.	REV	
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1. DEFINITIONS

- 1.1. **‘Owner’** shall mean M/s Krishak Bharati Cooperative Limited having its corporate office at –KRIBHCO Bhawan, A-10, Sector-1, Noida-201301 Distt. GautamBuddh Nagar, Uttar Pradesh, India.
- 1.2. **‘Consultant’** shall mean M/s. Projects & Development India Limited having their Registered Office at PDIL Bhawan, A-14, Sector-I, Noida-201301 Distt. GautamBuddh Nagar Uttar Pradesh, India which expression shall include their successors and assigns.
- 1.3. **‘PQ’** shall mean Pre-qualification.
- 1.4. **‘PQ Bid’** shall mean the bid submitted by Bidder(s) for Pre-qualification in response to this ‘PQ Booklet’
- 1.5. **‘Bidder/Contractor’** shall mean the sole bidder or Consortium who shall submit or who have submitted the PQ Bid in response to PQ Booklet.
- 1.6. **‘Pre-qualified Bidder’** shall mean the Bidder who shall be pre-qualified by OWNER for the issuance of the Bidding Document under a single LSTK Package as under:
300 TPD WEAK NITRIC ACID (as 100% HNO₃) & 300 TPD AMMONIUM NITRATE PLANT WITH PRILLING PLANT ALONG WITH ASSOCIATED OFFSITE AND UTILITY FACILITIES AT SHAHJAHANPUR, UTTAR PRADESH, INDIA
- 1.7. **‘Bidding Document/ Main Bidding Document’** shall mean the document which shall be issued to the Pre-Qualified Bidder for submission of their LSTK Bid.
- 1.8. **‘LSTK’** shall mean Lumpsum Turnkey Project and shall be executed on LSTK basis as per the scope of work defined in this PQ booklet.
- 1.9. **‘Licensor (or technology supplier)’** shall mean agency responsible for supply of intellectual property right knowhow License, basic design and process package for the proposed project for construction, operation and maintenance of the project for its entire life.
- 1.10. **‘Process Licensor Criteria’** shall mean the minimum eligibility of Licensor as specified under clause 2 of Instructions to bidders.
- 1.11. **‘Experience Criteria’** shall mean the minimum experience eligibility as specified under clause 2 of Instructions to bidders.
- 1.12. **‘Financial Criteria’** shall mean the financial eligibility as specified under clause 2 of Instructions to bidders.
- 1.13. **‘LSTK Contractor’** shall mean the successful bidder whose services shall be obtained for supply of Process License, Engineering, Procurement, Supply and Construction of Unit/Facilities/System on package basis covered under scope of work as stated in (Clause no3 of Instructions to bidders).
- 1.14. **‘LSTK Bid’** shall mean the bid to be submitted by the Pre-Qualified Bidder in response to the Bidding Document issued by OWNER/Consultant.

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- 1.15. 'Multidisciplinary'** shall mean part or all items / equipment /supplies and works involving either or all process, civil, mechanical, electrical, instrument engineering.
- 1.16. 'Project'** means Green field WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT & associated offsite and utilities facilities proposed at SHAHJAHANPUR, UTTAR PRADESH of India comprising of 300 TPD Weak Nitric acid plant and 300 TPD Ammonium Nitrate Plant with Prilling along with associated Offsite-utilities, Product storages, loading facilitiesand all other related onsite and offsite work.
- 1.17. 'Work Scope'** means the Supply of Process License, design, engineering, procurement, construction, erection, supply, testing and commissioning, Guarantee Test Run of the project in accordance with the standards, specification and requirements described or referred to in the LSTK contract.
- 1.18. 'Consortium'** means an association of not more than three (3) members who have collaborated in successful execution of Similar Work.
- 1.19.** All headings of the clauses in this document are broadly indicative of the contents of the clauses and not as a summary of the contents thereof.
- 1.20.** Unless otherwise specifically stated, the singular shall include the plural and vice versa.

2. PREQUALIFICATION CRITERIA:

Pre-qualification (PQ) Bids are hereby invited from competent EPC Contractors authorized by Process Liensors with sound technical and financial capability meeting the respective pre-qualification requirement stated hereunder:

Bidder(s) may bid as:



- Single Bidder subject to meeting the Pre-qualification Criteria as stated in Clause 2.2

OR

- Consortium subject to meeting the Pre-qualification Criteria as stated in Clause 2.3. In case of Consortium, the Leader of the Consortium shall take single point responsibility for execution of the project on LSTK basis.

Note:

- In any case, the Process Licensor, proposed by the Bidder must meet the Technology Criteria as per Clause 2.1
- An individual bidder can participate for single Prequalification only. Multiple participation for Prequalification either as a Lead Bidder/ Consortium member/ Single Bidder shall not be allowed.
- However a single Process Licensor is free to collaborate with more than one

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EPC Contractor.

- (iv) One bidder will submit only one PQ bid. The bidder shall not be allowed to prequalify as a part of member of any other consortium.
- (v) Parent company and its subsidiary/sister concern will NOT be allowed to be prequalified separately. To meet the Pre Qualification criteria, a bidder shall be allowed to take into account strength of its Subsidiary(ies) and/or Holding company and/or Subsidiaries of its Holding companies provided they are part of consortium.

2.1. PQ Criteria for Process Licensor (Technology supplier):

2.1.1 The Process Licensor proposed by the Bidder has to meet the following criteria:

“The licensor/ Technology provider, proposed by the Bidder, shall have successfully supplied/provided license and Basic Engineering Design Package for 02 nos. (minimum) **Weak Nitric Acid (WNA) - Ammonium Nitrate (AN) solution (including AN Prilling Facility) integrated plant** of at least **250 MTPD capacity each in last Ten (10) years** outside the country of Origin of Process licensor and such plant(s) shall be successfully in operation for at least 1(one) year. ”



Separate Licensors for Ammonium Nitrate (AN) solution plant and AN Prilling facility are also acceptable to OWNER. Bidder to submit the supporting documents accordingly.

2.1.2 Bidder shall provide following Documentary Evidence in support of Clause no. 2.1.1

- a) The copy of Purchase Order (PO)/ Work Order (WO)/ Letter of Acceptance (LOA) (along with amendments issued, if any)/relevant extract of WO with scope of supply/ work/ technical specification/License.
- b) Successfully completion certificate issued by the Plant Owner along with the name of the contact person and contact details such as ph. no, email id. etc.
- c) 1-year successful operation certificate issued by the Plant Owner along with the name of the contact person and contact details such as ph. no, email id. etc.

Notes to above Clause (Technology Criteria):

- d) Bidder’s in-house experience and supplies to their group of companies shall not be considered as valid experience for the purpose of pre-qualification.
- e) The Period of years as mentioned in the clause above shall be reckoned from the last day of month, previous to the one in which PQ bids are invited.

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2.2. PQ Criteria for a Single LSTK Bidder

Any bidder from a country which shares a land border with India shall be eligible to bid only if the bidder is registered with Competent Authority as specified in the notification issued by Department of Expenditure, Ministry of Finance, Govt. Of India reference file no. 6/18/2019- PPD dated 23.07.2020. A Copy of registration certificate in respect of this shall be furnished along with bid, failing which the bid shall be rejected.

2.2.1 Process Licensor Criteria

As mentioned in clause No. 2.1 above. If the Process Licensor is legal entity separate from the Bidder, the Bidder has to submit a copy of MOU / Agreement / Letter of Support from the Process Licensor

2.2.2 Work Experience Criteria

The Bidder shall be a LSTK Contractor and shall take single point responsibility for execution of the project on LSTK basis for the Project with associated utilities/off sites facilities.

The Bidder should be an established LSTK / EPCM Contractor and should possess experience of having successfully completed SIMILAR WORK as defined hereunder within a period of **last Ten (10) years**, either:



- One **SIMILAR WORK** costing more than **INR 6500 million**.
- Or
- Two **SIMILAR WORK** each costing more than **INR 5000 million**.

Definition of '**SIMILAR WORK**'–

SIMILAR WORK shall mean Project(s) in India or outside Bidder's Country of origin in the field of Fertilizers or Chemicals or Petroleum Refineries or Petrochemicals (sectors). Project(s) executed in any other field apart from those specified shall not be considered.

Scope of work for such Project(s) must include supply of Process License, Basic Design and Detailed Engineering, Procurement, supply, construction and erection of all civil, mechanical, electrical and instrumentation works, Testing, Pre-commissioning, Commissioning and Guarantee Test (PGTR). Such Project(s) should be in satisfactory operation for at least one (01) year.

Bidder shall provide following Documentary Evidence in support of Clause no. 2.2.2.

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1. Copy of Purchase order (PO)/ Work Order / Letter of Acceptance (LOA) (along with amendments issued, if any)) /relevant extract of WO with scope of supply/work/ technical specification.
2. The completion certificate for successful completion of same plant issued by plant owner.
3. One (01) year satisfactory operation certificate issued by the Plant Owner along with the name of the contact person and contact details such as ph. no, email id. etc.
4. The Period of years as mentioned in the clause above shall be reckoned from the last day of month, previous to the one in which PQ bids are invited.
5. The documentary proof/ MOU/Letter of Undertaking from process licenser for technology tie up for this project.

Notes to above Clause no. 2.2.2:

- i) The work order executed in consortium mode shall not be considered as individual experience for qualification unless the same consortium is bidding for Owners Project.
- ii) Bidder's in-house experience and supplies to their group of companies shall not be considered as valid experience for the purpose of pre-qualification. "Bidder's experience of executing a Contract/Purchase Order/Work order for a project of a sister concern or a holding company (company under same management/having common directors) or in which the bidder is either having a stake or is a sole owner of the project" shall be considered as Bidder's In-house experience. Bidder shall submit undertaking with effect to above.
- iii) Work Orders in Foreign Currency shall be converted to **INR** using the exchange rate of RBI as on the date of Work Order.
- iv) Owner/Owner's Consultant may verify the details as submitted by the bidder. Bidder shall facilitate verification of the details of such companies.

2.2.3. Financial Criteria:

The Bidder, meeting the requirements as per above experience criteria, must have financial criteria as below.

- (a) Average Annual turnover during the last 3 preceding financial years i.e. 2019-2020, 2020-2021 and 2021-2022 or calendar years 2019, 2020 and 2021 should be more than **INR 3500 million or US \$ 42.2 million.**
- (b) Net Worth of the Company should be positive as per the last preceding financial year i.e. 2021-22 or calendar year 2021.

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- (c) The bidder shall submit Solvency certificate from the bankers with solvency of minimum **INR 3250 million or US \$ 39.15 million**. The date of issue of this certificate should not be more than six months old from the last day of month previous to the one in which PQ bids are invited.

Following Documentary Evidence are required to be furnished in support of above Clause no. 2.2.3:

1. Audited Annual Report of the company for the three (3) financial years i.e. 2019-2020, 2020-2021 and 2021-2022 or calendar years 2019, 2020 and 2021 in support of criteria no. 2.2.3 (a)& (b) above.
2. Chartered Accountant (CA) for Indian bidders along with UDIN No. or Certified Public Accountant (CPA) or equivalent Certificate for foreign bidders in support of financial criteria as per clause no. 2.2.3 (a) & (b) above.
3. Documentary evidence in support of clause no. 2.2.3 (c) of financial criteria.
4. Turnover in Foreign Currency other than US \$ shall be converted to **INR** using the exchange rate of RBI as on the date of the end of the relevant financial /calendar year.
5. Additionally, they shall submit required details as per Exhibit-3 enclosed.

2.3 PQ Criteria for a Consortium with Joint and Several Responsibilities.

Bids from Consortium comprising of maximum three (03) members (one lead bidder and two members) are also acceptable. If any member of the Consortium is from a country which shares a land border with India, it shall be eligible to bid only if such member of the Consortium is registered with Competent Authority as specified in the notification issued by Department of Expenditure, Ministry of Finance, Govt. Of India reference file no. 6/18/2019- PPD dated 23.07.2020. A Copy of registration certificate in respect of this shall be furnished along with bid, failing which the bid shall be rejected.



The Consortium shall meet the Work Experience criteria as specified in 2.3.2 below and all members of the Consortium shall meet the financial criteria as specified in 2.3.3 below:

2.3.1 PQ Criteria for Process Licensor for Consortium:

As mentioned in clause No. 2.1 above. If the Process Licensor is legal entity separate from the Bidder, the Bidder has to submit a copy of MOU / Agreement / Letter of Support from the Process Licensor

2.3.2 Work Experience Criteria for Consortium

Each of the Consortium member should be an established LSTK / EPCM Contractor and possess experience of having successfully completed SIMILAR WORK as defined hereunder within a period of **last Ten (10) years** ending last day of month previous to the one in which bids are invited, either:

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One SIMILAR WORK costing not less than **INR 3500 million**

Or

Two SIMILAR WORK each costing not less than **INR 2000 million**

Definition of 'SIMILAR WORK'–

SIMILAR WORK shall mean Project(s) in India or outside Bidder's Country of origin in the field of Fertilizers or Chemicals or Petroleum Refineries or Petrochemicals (sectors). Project(s) executed in any other field apart from those specified shall not be considered.



Scope of work for such Project(s) must include supply of Process License, Basic Design and Detailed Engineering, Procurement, supply, construction and erection of all civil, mechanical, electrical and instrumentation works, Testing, Pre-commissioning, Commissioning and Guarantee Test (PGTR). Such Project(s) should be in satisfactory operation for at least one (01) year

Bidder shall provide following Documentary Evidence in support of above criteria i.e.

1. Copy of Purchase order (PO)/ Work Order / Letter of Acceptance (LOA) (along with amendments issued, if any) /relevant extract of WO with scope of supply/work/ technical specification.
2. The completion certificate for successful completion of same plant issued by plant owner.
3. One (01) year satisfactory operation certificate issued by the Plant Owner along with the name of the contact person and contact details such as ph. no, email id. etc.
4. The Period of years as mentioned in the clause above shall be reckoned from the last day of month, previous to the one in which PQ bids are invited.
5. The documentary proof/ MOU/Letter of Undertaking from process licensor for technology tie up for this project.

Notes to Clause no. 2.3.2

- i) Bidder's in-house experience and supplies to their group of companies shall not be considered as valid experience for the purpose of pre-qualification. "Bidder's experience of executing a Contract/Purchase Order/Work order for a project of a sister concern or a holding company (company under same management/having common directors) or in which the bidder is either having a stake or is a sole owner of the project" shall be considered as Bidder's In-house experience. Bidder shall submit undertaking with effect to above.

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- ii) Work Orders in Foreign Currency shall be converted to **INR** using the exchange rate of RBI as on the date of Work Order.
- iii) Owner/Owner's Consultant may verify the details as submitted by the bidder. Bidder shall facilitate verification of the details of such companies.

2.3.3 Financial Criteria:

- a) Average Annual turnover of Lead Bidder of the Consortium during the last 3 preceding financial years i.e. 2019-2020, 2020-2021 and 2021-2022 or calendar years 2019, 2020 and 2021 should be more than **INR 2500 million or US \$ 30 million.**
- b) Average Annual turnover of each member of the Consortium other than the lead Bidder during the last 3 preceding financial years i.e. 2019-2020, 2020-2021 and 2021-2022 or calendar years 2019, 2020 and 2021 should be more than **INR 2000 million or US \$ 24 million.**
- c) Net worth of each member of the Consortium should be positive as per the last preceding financial year i.e. 2021-22 or calendar year 2021.
- d) All the consortium members shall submit the solvency certificate from their reputed banker for value collectively more than **INR 2000 million or US \$ 24 million.** The date of issue of this certificate should not be more than six months old from the last day of month previous to the one in which PQ bids are invited.



Following Documentary Evidence are required to be furnished in support of above Clause no. 2.3.3:

1. Audited Annual Report of the company for the three (3) financial years i.e. 2019-2020, 2020-2021 and 2021-2022 or calendar years 2019, 2020 and 2021 in support of criteria no. 2.3.3 (a) & (b) above.
2. Chartered Accountant (CA) for Indian bidders along with UDIN No. or Certified Public Accountant (CPA) or equivalent Certificate for foreign bidders in support of financial criteria as per clause no. 2.3.3 (a) & (b) above.
3. Documentary evidence in support of clause no. 2.3.3 (c) of financial criteria.
4. Turnover in Foreign Currency other than US \$ shall be converted to **INR** using the exchange rate of RBI as on the date of the end of the relevant financial /calendar year.
5. Additionally, they shall submit required details as per Exhibit-3 enclosed.

2.3.4. Consortium leader & distribution of work

A Consortium shall not change its constitution or its members on the basis of which the Consortium has submitted its Prequalification Bid

The Consortium must clearly define the leader of such a Consortium.

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Leader shall co-ordinate with OWNER on behalf of the Consortium, during the period which the bid is under evaluation by OWNER or is being negotiated with OWNER as well as during execution of WORK, in the event the WORK is awarded., The Lead Bidder of the Consortium shall be directly responsible for execution of the contract and all the activities of the project.

The identification of the Lead Bidder of the Consortium which shall and the distribution of work and responsibilities amongst the Consortium members will be clearly indicated and set forth in the PQ Bid.

All the members of the Consortium shall be liable jointly and severally for the performance of the contract and discharge of the Consortium's obligations and liabilities under the contract. All the members of the Consortium shall execute and submit a binding Consortium Agreement as per Appendix I.

The Leader of the Consortium shall be authorized to incur liabilities and receive instructions for and on behalf of any and all members of the Consortium. Notwithstanding anything contrary in the Consortium Agreement, the leader of the consortium shall have co-ordination responsibility for execution of the contract and will have to carry single point responsibility of the submitted bid and implementation of the project. The leader of the Consortium shall submit undertaking signed by all the Consortium members to this effect in the PQ Bid.



Wherever applicable, documents/details pertaining to the bidder's information as per Forms/Annexures attached with the Tender Documents must be furnished for each partner/member of the consortium, complete in all respects along with the bid.

- 2.4 General Criteria:** The Bidder should not be on holiday list/Black list in any GOVT/PSU Sector/Financial Institutions as on date of issue of PQ Bid. Declaration, as per Form - 2, to this effect shall be required from Bidder/ each member of the consortium in the Bid.

3. BRIEF SCOPE OF WORK

Scope of Work of the Contractor shall be LSTK execution with Single Point Responsibility Basis, which shall broadly cover the following activities:

- i) Supply of Process License & Basic Design Engg. Package (BDEP) from Process Licensor for production of Weak Nitric Acid and Ammonium Nitrate Solution along with Prilling.
- ii) Detailed Engg. , Procurement, Supply, Manufacture, Fabrication, Transportation of all Equipment & Materials to the Plant Site for following facilities:
 - a) Transportation of Liquid ammonia through pipelines from nearby KRIBHCO plant (around 1 Km from Proposed Plant Site)
 - b) Weak Nitric Acid, Ammonium Nitrate Solution with Prilling Tower, Prill Storage & Handling facilities including bagging along with required system and associated utilities & offsite facilities at Plant

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site.

- c) WNA/AN Plants with all Associated Utilities & Off-sites facilities.
- iii) Construction & Erection of Civil/Mechanical/ Electrical/Instrumentation Works, of all above mentioned facilities.
- iv) Project Management & obtaining all necessary Statutory Approvals except environment clearance from Concerned Government Authorities as applicable for the facilities mentioned.
- v) Testing, Mechanical Completion, Pre-Commissioning, Commissioning, Performance Guarantee Test Run & handing over to Client, of WNA-AN Integrated Plant with all Associated Utilities & Off-sites facilities including storage.

4. TERMS AND CONDITIONS

4.1. Cost of bidding

The Bidder shall bear all costs associated with the preparation or delivery of its PQ Bid, participating in discussions etc. including costs and expenses related with visits to the Site(s). OWNER/ Consultant will in no case be responsible or liable for those costs and expenses regardless of the outcome of the bidding process.

4.2. Language of PQ Bids

The Bid and all correspondence incidental and related to Bid shall be written in English Language. Any printed literature and document submitted in any other language, should be accompanied by authenticated English translation, in which case, for purpose of interpretation of the Bid, English translation shall govern. Responsibility for correctness in translation shall lie with the Bidders.



4.3. Availability of PQ Data Booklet

Pre-Qualification (PQ)booklet can be downloaded from Web Site of PDIL (www.pdilin.com) & KRIBHCO (www.kribhco.net).

4.4. Secrecy agreement

All technical information that shall be embodied in the main bidding document will be considered as confidential. Prequalified Bidders will not use for any other purpose or disclose confidential information to any third party without prior written approval of OWNER.

- 4.5. OWNER / Consultant reserves their right to call for originals of the supporting documents for verification, if so deemed fit and also to cross check for any details as furnished by the Bidder from their previous Clients / Consultants. The Bidder shall have no objection

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whatsoever in this regard.

4.6. OWNER / Consultant reserves the right to assess Bidder's capability and capacity to perform the assignment by taking into account various aspects such as concurrent commitments, resources available, etc., should the circumstances so warrant such assessment in the overall interests of the Project.

4.7. OWNER / Consultant reserve the right to make use of available in-house data also for prequalification of agencies who have submitted PQ bids for prequalification.

4.8. BID EVALUATION

4.8.1 While evaluating the Bidder's conformity with Minimum Experience Criteria, the following consideration shall be applied.



- a) Only such works shall be taken into consideration, the details of which have been submitted by the Bidder along with copy of Work Order/ notification for award, copy of completion certificate and proof that unit was in operation.
- b) Copy of work order/ notification for award of work is a mandatory document which establishes that the Bidder has been awarded a work which meets the minimum single contract mentioned under Experience Criteria, Clause no. 2 above.
- c) Completion Certificate is a mandatory document which establishes that the Performance Guarantee Test Run of Plant under reference has been successfully completed.
- d) One (01) year satisfactory operation certificate is also a mandatory document to establish that plant is in operation for at least one year
- e) In case these mandatory documents as required under (b) to (d) above are not enclosed, such works may not be considered as meeting/ contributing the Experience Criteria.

For evaluating, only such Financial details shall be taken into consideration, which have been submitted by the Bidder as per Exhibits and Bidding Forms.

4.8.2 OWNER / Consultant will examine the PQ Bids for their completeness, whether the documents have been signed, and whether the details furnished are generally in order.

4.8.3 OWNER / Consultant reserve the right not to seek any clarification on documents submitted in support of prequalification requirements and evaluate the PQ bids as on "Received basis".

4.8.4 Bidder intending to participate shall meet the prequalification requirement stated in clause 2 above. Only those Bidders who meet the 'Technology Criteria'; 'Experience Criteria', 'Financial Criteria' and 'General Criteria' as specified under Clause 2 shall be considered as meeting the minimum Pre-qualification requirements failing which such bidders will not be Pre-qualified.



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5.0 PREPARATION / SUBMISSION OF PQ BIDS

5.1 PQ Bid outline requirements

All Bidding Forms/ Exhibits, duly filled in, as stipulated in this PQ booklet shall be submitted along with PQ bid. Bidder is required to make a proposal in a format as outlined below in order to achieve the objective of maintaining a uniform proposal structure from all the Bidders. This requirement must be adhered to by all the Bidders:



CHAPTER – I	Letter of submission and synopsis of the proposal covering the Technical details for proposed project: (a) Concept note (b) process license & technology tie-up with Licensor
CHAPTER – II	<ol style="list-style-type: none"> 1. Organisation Profile covering (a) Name & address of the organization with telephone, -, email nos. with contact persons (b) structure of the organizations with names of directors & chief executives (c) name & addresses of the commercial banks. 2. Copy of Article of Association of the Company or Board Resolution mentioning Chairman/ Chief Executive Officer / Managing Director of the Company. 3. A copy of MOU/letter of undertaking/letter of support by the Process Licensor to the Bidder stating clearly that the Process Licensor will provide the Process License and Basic Design to the Bidder and proprietary equipments (if any) in case they are successful for award of the contract for the said Project.
CHAPTER – III	<ol style="list-style-type: none"> 1. Bid qualification criteria (BQC) in favour of Technology Criteria as per Exhibit-1, Experience on LSTK basis as per Exhibit-2 and in favour of Financial Criteria as per Exhibit-3. The Bidder shall ensure that the following documents/information are submitted along with PQ bid failing which Bid may be rejected: <ol style="list-style-type: none"> a) Copies of Work Orders, Performance data sheets of operating plants under reference and completion certificates in support of prequalification requirement. b) Annual audited financial statement for the last 3 (three) financial years i.e. 2019-2020, 2020-2021 and 2021-2022 or financial year ending 2019, 2020& 2021. This shall be a verifiable statement of annual accounts certified by a Chartered Accountant or Public Accountant in the form of printed annual reports or similar document. c) Bankers certificate of solvency
CHAPTER-IV	In this section, Bidder is required to submit:

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	<p>(a) Details pertaining to company information, legal status, place of registration, principal place of business of the company, etc. along with Bidder's Organisation details as per Form-1.</p> <p>(b) Declaration regarding BANNED / BLACKLISTED / DELISTING AND LIQUIDATION, COURT RECEIVERSHIP OR SIMILAR PROCEEDINGS as per Form-2.</p> <p>(c) LITIGATION / ARBITRATION DETAILS as per Form-3.</p> <p>(d) Power of attorney on behalf of signatory of the bid.</p> <p>(e) PQ booklet, downloaded from website, duly signed and stamped by the Bidder on each page.</p> <p>(f) Any other information to be submitted by the bidder as per PQ Booklet.</p> <p>Bidder may also submit any other information they desire to submit on their own to supplement their capability.</p>			
CHAPTER-V (In case Consortium/JV)	<p>1. Appendix-I (Consortium Agreement)</p> <p>2. Undertaking by the leader of Consortium- to carry single point responsibility of the submitted bid and implementation of the project.</p>			

In case of Consortium bid, the bid shall be signed by duly authorized signatory of each of the Consortium members. The division of responsibility of each member is to be mentioned in the PQ bid itself. The same will be subject to acceptance by OWNER/Consultant. Subsequently, the Consortium members will not be allowed to change their responsibility. Further, in case of Consortium the above details, for each partner shall be furnished, wherever applicable.

The Bid must be complete in all respects leaving no scope for ambiguity. It is in the interest of Bidder to submit complete and comprehensive proposal leaving no scope for OWNER / Consultant to raise any further questionnaires as the proposal may only be evaluated on the basis of what has been submitted by the Bidder in the first instance in order to adhere with very strict Project Schedule requirements.

Complete PQ BID shall be serially page numbered and indexed in detail. Wherever reference to any document is made in support of pre-qualification criteria, the relevant page number of such document shall be clearly indicated. All strikeouts, corrections etc. shall be duly authenticated by affixing the signature along side. PQ Bids shall not have any corrections made with correcting fluid. Such bids shall not be taken up for further evaluation.

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5.2 Submission of bids

- 5.2.1 PQ booklet as downloaded from website is required to be signed and stamped on each page and returned along with PQ bid as token of acceptance.
Bidders are advised to submit PQ bids strictly based in accordance with requirement mentioned vide clause 5.1 above. All signatures in bids shall be dated and shall bear a seal of the bidder. In addition, all pages of the bids shall before submission of the bid shall be initialed at lower right hand corner by the Bidder or by a person holding a Power of Attorney authorizing him to sign on behalf of the bidder. Sealed PQ Bid shall contain **one original and four copies plus 1 USB (PQ in soft format)** along with all necessary documents at the following addresses on or before **30th December2022** by 1200 Hrs. (IST).The bid will be opened on same day at 16.30 Hrs (IST).

PROJECTS & DEVELOPMENT INDIA LIMITED,
(Materials Management Department)
P.D.I.L Bhawan, A-14, Sector-1, Noida , (India)

Attention: Mrs. Anjali Thakur
Deputy General Manager (M.M)
Tel no. : 120-2529842 (Ext: 340)
Mob No.: 95997-66149

E-mail :anjali@pdilin.com/amitvarshney@pdilin.com



ENVELOPE will be clearly marked as “**PQ Bid for WNA-AN Integrated Plant on LSTK Basis, Shahjahanpur**”, and shall carry the PQ Document No., Contractor’s name and address. The soft copy of the PQ bid submitted in USB form shall be in a non-editable secured format. The Bidder shall submit an undertaking along with the PQ bid that the information submitted in the USB form is a true copy of the PQ bid submitted in hard copy form.

If the ENVELOPE is not sealed and marked properly, OWNER/Consultant will assume no responsibility for the Bid’s misplacement or premature opening.

- 5.2.2 In addition to above, Envelope shall indicate the name and address of the bidder to enable the bid to be returned unopened in case it is declared to have been received “Late”.
- 5.2.3 Each Bidder shall submit only one bid. A Bidder who submits more than one bid will be rejected.

6.0 Owner’s right to accept any PQ bid and reject any or all PQ bids.

The OWNER / Consultant reserves the right to accept or reject any PQ bid and to annul the Bidding process and reject all PQ bids at any time without thereby incurring any liability to the affected bidder(s) or any obligation to inform the affected bidder(s) of the grounds for the Owner’s action.

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7.0 Contacting the OWNER / Consultant

No Bidder shall contact the OWNER / Consultant on any matter relating to its PQ Bid from the time of submission of PQ Bid, unless requested so in writing. Any effort by a Bidder to influence the OWNER / Consultant in the Owner's decisions in respect of PQ Bid evaluation will result in the rejection of that Bidder's PQ Bid.



8.0 General information

Following information is provided to Bidder for bidding purpose:

- a) Proposed works are to be carried out for **300 TPD WEAK NITRIC ACID (as 100% HNO₃) & 300 TPD AMMONIUM NITRATE PLANT WITH PRILLING PLANT ALONG WITH ASSOCIATED OFFSITE AND UTILITY FACILITIES AT SHAHJAHANPUR, UTTAR PRADESH, INDIA** and work procedures shall be in line with requirements pertaining to safety, operation and maintenance of the same.
- b) Payment for execution of proposed works is assumed to be made both in foreign currency and Indian currency.

9.0 Specific Requirements for Engineering and Construction:

- 9.1 Bidder shall have a design Organization with adequate strength of technical personnel and supporting design tools / aids and shall have extensively used 3D Modeling based on PDS/PDMS/similar Software for design of their past project.
- 9.2 Following methodology shall be followed for carrying out Engineering Work. The Bidder must follow the same for executing the Engineering work.
- 9.3 Review of model / drawings and documents issued by LSTK Contractor shall be carried out by Owner/Consultant.
- 9.4 Complete Engineering shall be carried out at a single office on dedicated Task Force Basis, unless otherwise specifically required elsewhere, as per this PQ Booklet.
- 9.5 Engineering shall be carried out with adequate strength of engineering personnel and support design aids.
- 9.6 Engineering shall be carried out through extensive use of latest design software including 3D Modeling with PDMS/PDS software. Adequate number of workstations shall be deployed, commensurate with the project schedule. Bidder must furnish details of the number of available workstations along with the Bid.
- 9.7 During construction period, field engineering services shall be required and have to be provided.
- 9.8 All the details / documents submitted along with PQ proposal which have been considered for evaluation of Pre-qualification shall form as the minimum commitments from Bidder and shall form part of Contract document to that extent.

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9.10 Bidder shall ensure that as a minimum, the following activities are performed by them directly and not subcontracted.

- i) Project Management
- ii) Planning, Scheduling, Monitoring
- iii) Detailed Engineering
- iv) Procurement
- v) Construction Management
- vi) Quality Assurance (Project Management) and Safety Management.
- vii) Pre-commissioning/commissioning.

Bidder should identify key Engineering personnel who will review, approve and monitor the activities at the sub-contractor's office.

All sub-contractors proposed to be deployed shall be subject to approval by Owner / Consultant. Once approved, bidder will not be allowed to change the Engineering Sub-Contractor, subsequently.

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EXHIBITS

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LIST OF EXHIBITS

Bidder to submit following EXHIBITS duly filled in:

EXHIBIT – 1	BID QUALIFICATION CRITERIA (BQC) IN FAVOUR OF TECHNOLOGY CRITERIA (REF CLAUSE 2.1 OR 2.2.1 OR 2.3.1)
EXHIBIT – 2	BID QUALIFICATION CRITERIA (BQC) IN FAVOUR OF EXPERIENCE CRITERIA (REF CLAUSE 2.2.2 OR 2.3.2)
EXHIBIT – 3	BID QUALIFICATION CRITERIA (BQC) IN FAVOUR OF FINANCIAL CRITERIA (REF CLAUSE 2.2.3 / 2.3.3)



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EXHIBIT-1

NAME OF PROJECT: 300 TPD WEAK NITRIC ACID (as 100% HNO₃) & 300 TPD AMMONIUM NITRATE PLANT WITH PRILLING PLANT ALONG WITH ASSOCIATED OFFSITE AND UTILITY FACILITIES AT SHAHJAHANPUR, UTTAR PRADESH, INDIA



BID QUALIFICATION CRITERIA (BQC) IN FAVOUR OF TECHNICAL CRITERIA (REFER CLAUSE 2.1/2.2.1/2.3.1)

Bidder/Consortium Members shall furnish their LSTK experience details with reference to the work, which pre-qualify them in line with Technical Criteria mentioned under Clause **2.1/2.2.1/2.3.1 (Technology Criteria)** of “Instructions to Bidders”. In case of Consortium, LSTK experience in line with Technical Criteria shall be indicated attributable to each of the Consortium members.

(MARK FOR APPLICABILITY IN BOX)

1.0 CREDENTIALS OF PROCESS LICENSOR (use separate sheets for each Project reference)

SL. No.	Description	Details
1.	Project name (in field of AN with Captive WNA Production along with Prilling facility)	
2.	Description of work	
3.	Capacity of the Project/Plant	
4.	Name of Process Licensor/Technology Supplier, Postal Address, Phone / -- / E-mail	
5.	Name of Owner, Postal Address, Phone / -. / E-mail	
6.	Name of Consultant / Postal Address, Phone / -. / E-mail.	
7.	Project Status <ul style="list-style-type: none"> • Date of Award • Scheduled Mechanical completion date. • Actual Mechanical completion date • Actual Project completion date (handover) • Delay in months (if any) • Reasons for delay (if any) 	
8.	Scope of work executed by Process Licensor.	<ul style="list-style-type: none"> • Supply of Process License • Basic Process Design

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	Completion Status	Specify Date of	Date
		- Mechanical completion - Commissioning - Performance Guarantee runs - Handing over plant to Owner • Whether completion certificate enclosed YES NO
9.0	Document Furnished		
9.1	Copy of work order / Contract Agreement enclosed	YES NO	
9.2	A certificate from the Owner that the Plant is put into commercial operation / Certificate of successful guarantee test run.	YES NO	
9.3	Documentary proof from the owner in support of successful operation of the plant for at least One year	YES NO	
10.	Letter of support & confirmations for services of providing Process License/Know-how and , Basic engineering Information	YES NO	

Note:

- Bidder shall furnish the experience details of Process Licensor as above of Projects which they consider suitable for their pre-qualification. OWNER / PDIL reserve the right not to evaluate any other Project details.

STAMP & SIGNATURE OF BIDDER :

NAME OF BIDDER :

DATE :



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EXHIBIT-2

NAME OF PROJECT: 300 TPD WEAK NITRIC ACID (as 100% HNO₃) & 300 TPD AMMONIUM NITRATE PLANT WITH PRILLING PLANT ALONG WITH ASSOCIATED OFFSITE AND UTILITY FACILITIES AT SHAHJAHANPUR, UTTAR PRADESH, INDIA



BID QUALIFICATION CRITERIA (BQC) IN FAVOUR OF TECHNICAL CRITERIA (REFER CLAUSE 2.2.2/2.3.2)

Bidder/Consortium Members shall furnish their LSTK experience details with reference to the work, which pre-qualify them in line with Technical Criteria mentioned under Clause **2.2.2 OR 2.3.2 (Experience Criteria)** of “Instructions to Bidders”. In case of Consortium, LSTK experience in line with Technical Criteria shall be indicated attributable to each of the Consortium members.



(MARK FOR APPLICABILITY IN BOX)

2.0 EXPERIENCE AS LSTK CONTRACTOR (use separate sheets for each Project reference)

SL. No.	Description	Details
1.	Project name (in field of Fertilizer, Chemical, Petroleum, Refineries, Petrochemicals)	
2.	Description of work	
3.	Capacity of the Project/Plant	
4.	Name of Technology Supplier	
	Details of Similar Works/Similar Project of minimum value INR.....	
5.	Name of Owner, Postal Address, Phone / - / E-mail	
6.	Name of Consultant / Postal Address, Phone / - / E-mail.	
7.	Project Status <ul style="list-style-type: none"> • Date of Award • Scheduled Mechanical completion date. • Actual Mechanical completion date • Actual Project completion date (handover) • Delay in months (if any) • Reasons for delay (if any) 	

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8.	Scope of work executed by Bidder's organization (In case work has been executed on Consortium / JV basis, only scope of work of Bidder's organization be mentioned)	<ul style="list-style-type: none"> • Supply of Process License • Basic Process Design • Residual process design • Detailed Engineering • Project Management • Procurement services • Procurement including supply <ul style="list-style-type: none"> • Construction • Construction supervision • QA/QC • Pre-commissioning & commissioning • Supervision of commissioning 	
	Completion Status	Specify Date of - Mechanical completion - Commissioning - Performance Guarantee runs - Handing over plant to Owner • Whether completion certificate enclosed YES NO	Date
9.0	Document Furnished		
9.1	Copy of work order / Contract Agreement enclosed	YES NO	
9.2	A certificate from the Owner that	YES NO	

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	the Plant is put into commercial operation / Certificate of successful guarantee test run / Completion Certificate.		
9.3	Documentary proof from the owner in support of successful operation of the plant for at least One year	YES	NO
10.	Type of Project (In case of Consortium)	Whether this work is for: <ul style="list-style-type: none"> • Fertilizer • Chemical • Grass Root Refinery • Existing Refinery • Petrochemical Plant 	
11.	Basis of work	<ul style="list-style-type: none"> • Individual • Consortium (Name of Consortium members and their responsibilities to be attached) • Joint Venture (Name of Joint members and their responsibilities to be attached) 	

Note:

1. Bidder shall furnish the experience details as above of Projects which they consider suitable for their pre-qualification. OWNER / PDIL reserve the right not to evaluate any other Project details.
2. Bidder to note that BQC form shall be filled as per the Proforma as stated, along with wherever applicable, copies of work order and completion certificates.
3. **Bidder to note that non-submission of relevant supporting documents may lead to rejection of their PQ bid.** It is to be ensured that all relevant supporting documents shall be submitted along with the PQ bid in the first instance itself. Pre-qualification may be completed based on the details so furnished without seeking any subsequent additional information.

STAMP & SIGNATURE OF BIDDER :

NAME OF BIDDER :

DATE :



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EXHIBIT-3

NAME OF PROJECT: 300 TPD WEAK NITRIC ACID (as 100% HNO₃) & 300 TPD AMMONIUM NITRATE PLANT WITH PRILLING PLANT ALONG WITH ASSOCIATED OFFSITE AND UTILITY FACILITIES AT SHAHJAHANPUR, UTTAR PRADESH, INDIA

**BID QUALIFICATION CRITERIA (BQC) IN FAVOUR OF FINANCIAL CRITERIA
(REF CLAUSE 2.2.3/2.3.3)**

Bidder shall furnish details with reference to the work, which pre-qualify them in line with Financial Criteria mentioned under Clause 2.2.3/2.3.3 of "Instructions to Bidders". In case of Consortium, Financial Criteria attributable to each of the Consortium members shall be furnished.

3.0 FINANCIAL DETAILS (use separate sheets for each consortium member

3.1 ANNUAL TURNOVER /NET WORTH:

(The annual certified/ audited values for following to be submitted for Bidder/ Consortium members)

Year	Turnover (INR/US\$)	Net Worth (INR/US\$)
FY:2019-2020 / Yr. Ending 2019		
FY:2020-2021 / Yr. Ending 2020		
FY:2021-2022 / Yr. Ending 2021		
Average Value for above 3 years		

Whether copies of Audited Financial Statements for the above three financial years submitted. **YES / NO.**

3.2 Whether latest Solvency certificate submitted.

YES / NO

- If Yes:
- Date of Certificate.....
 - Solvency Amount
 - Name of Bank.....

Note:

- Bidder to note that non-submission of relevant supporting documents may lead to rejection of their bid. It is to be ensured that all relevant supporting documents shall be submitted along with the bid in the first instance itself. Pre-qualification may be completed based on the details so furnished without seeking any subsequent additional information.

STAMP & SIGNATURE OF BIDDER : _____

NAME OF BIDDER : _____

DATE : _____

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Annexure-1 to Exhibit 3

**FORMAT FOR CHARTERED ACCOUNTANT CERTIFICATE/ CERTIFIED PUBLIC
ACCOUNTANT (CPA) FOR FINANCIAL CAPABILITY OF THE BIDDER**

We have verified the Audited Financial Statements and other relevant records of M/s..... (Name of the bidder) and certify the following:

Year	Turnover (INR/US\$)	Net Worth (INR/US\$)
FY:2019-2020 / Yr. Ending 2019		
FY:2020-2021 / Yr. Ending 2020		
FY:2021-2022 / Yr. Ending 2021		
Average Value for above 3 years		

*Refer Instructions

Notes:

- (i) It is further certified that the above mentioned applicable figures are matching with the returns filed with Registrar of Companies (ROC) [Applicable only in case of Indian Companies]
- (ii) We confirm that above figures after referring instructions of Annexure-1 to Exhibit 3.

Name of Audit Firm: [Signature of Authorized Signatory]

Chartered Accountant/CPA Name:

Date:

Designation:

Seal:

Membership No.:

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Instructions for Annexure-I to Exhibit 3:

For the purpose of this Tender document:

- (i) Annual Turnover shall be “Sale Value/ Operating Income”
- (ii) Net Worth shall be Paid-up share capital plus Free Reserves & Surplus less accumulated losses, deferred expenditure and miscellaneous expenditure not written off, if any.
- (iii) Above figures shall be calculated after considering the qualification, if any, made by the statutory auditor on the audited financial statements with respect to quantified financial implication.
- (iv) This certificate is to be submitted on the letter head of Chartered Accountant (CA) Certificate for Indian bidders along with UDIN No. or Certified Public Accountant (CPA) Certificate or equivalent Certificate for foreign bidders.

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BIDDINGFORMS



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LIST OF BIDDING FORMS

Bidder to submit following FORMS duly filled in:

(In case of Consortium, wherever applicable, each Bidding Form shall be submitting by all the Consortium Members)

FORM - 1	Bidder's Organization Details
FORM - 2	DECLARATION REGARDING BANNED / BLACKLISTED / DELISTING AND LIQUIDATION, COURT RECEIVERSHIP
FORM - 3	LITIGATION / ARBITRATION DETAILS

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FORM – 1

BIDDER'S ORGANISATION DETAILS

In this Form Bidder shall detail out Company's Organization details, detailing out specifically.

- 1) Whether the Company is
 - a) Public / Pvt. Limited Company
 - b) Partnership
 - c) Sole Proprietor

- 2) Whether any change in Company's Ownership has occurred, during last 10 years, if yes, then when:
 - a) No change
 - b) Changed upto 2 times during last 10 years
 - c) Changed more than 3 times during last 10 years



- 3) Whether the Company is
 - a) Parent Company
 - b) Subsidiary Company

In case of Subsidiary Company, whether guarantee furnished by Parent Company.

STAMP & SIGNATURE OF BIDDER: _____

NAME OF BIDDER : _____

DATE : _____

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FORM - 2

(Self Declaration on Bidder's Letter Head as per below performa)

**DECLARATION REGARDING BANNED / BLACKLISTED / DELISTING AND LIQUIDATION,
COURT RECEIVERSHIP**

To,

.....

Subject:

Sir,

We hereby confirm that we have not been banned or blacklisted or de-listed or put on Holiday by any Government / Quasi-Government / Public Sector Undertaking/ Financial Institutions on due date of submission of bid.

We also confirm that we are not under any liquidation, court receivership or similar proceedings or 'bankruptcy'.



If it is found at a later date that the Contractor has secured the contract by furnishing wrong information or by suppressing facts in the bid submitted, OWNER reserves the right to put the CONTRACTOR on Holiday / Banned / Blacklist list of OWNER.

Further, we also confirm that in case there is any change in status of the declaration prior to award of contract, the same will be promptly informed to OWNER by us.

STAMP & SIGNATURE OF BIDDER : _____

NAME OF BIDDER : _____

DATE : _____

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FORM - 3

(Self Declaration on Bidder's Letter Head as per below performa)

LITIGATION / ARBITRATION DETAILS

To,

.....

Subject:



Sir,

(Bidder shall furnish here details of litigation/arbitration cases of the Bidder during the last 5 years)

STAMP & SIGNATURE OF BIDDER : _____

NAME OF BIDDER : _____

DATE : _____

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APPENDIX – I

(Format for Consortium Agreement)

(Following Consortium Agreement is for Execution on Non-Judicial Stamp Paper of Rs.100/-)

THIS CONSORTIUM AGREEMENT is made at (Place)_____on this ____day of ____ (month) of 2023 amongst: -



- 1) M/S----- incorporated under the Laws of, ----- with its Registered Office at -----, (hereinafter referred to as "Lead Bidder/Member-I" which expression shall, unless repugnant to the context or meaning thereof, include its successors and permitted assigns); AND
- 2) M/S ----- incorporated under the Laws of, ----- with its Registered Office at, ----- -- (hereinafter referred to as "Consortium Member-II/Member-II" which expression shall unless repugnant to the context or meaning thereof, include its successors and permitted assigns); AND
- 3) M/S -----incorporated under the Laws of -----with its Registered Office at, ----- -- (hereinafter referred to as "Consortium Member-III/Member-III)" which expression shall, unless repugnant to the context or meaning thereof, include its successors and permitted assigns); AND

Note: (Hereinafter wherever reference or context requires "Lead Bidder/Member-I" and "Consortium Members (II/III)" are collectively referred to as "PARTIES" and "PARTY" shall mean any member of the Consortium (Member I / Member II / Member III).

For the purpose of making a bid and entering into a Contract (in case of award) in response to **PQ Booklet No. _____ dated _____** for WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT AT SHAHJAHANPUR, UTTAR PRADESH, INDIA of M/s KRISHAK BHARATI COOPERATIVE LIMITED (hereinafter called the "OWNER")

AND WHEREAS

- (1) OWNER is proposing to establish WEAK NITRIC ACID – AMMONIUM NITRATE INTEGRATED PLANT AT SHAHJAHANPUR, UTTAR PRADESH, INDIA (hereinafter referred to as "PROJECT") vide PQ Booklet No. _____ Dated_____ and award the above work to a experienced, qualified and selected contractors on a lump sum turnkey (LSTK) basis with proper technical back-up of reputed Process Licensors and requisite experience.
- (2) Lead Bidder and Other Consortium Members (PARTIES) are competent and vide their PQ bid no. _____desire to forge a strategic business alliance to combine their skills and work under the leadership of Lead Bidder who will, on awarding the contract, assume the responsibility for itself and vicariously for all the consortium members and all the PARTIES will work with one another/each other in the performance of the contract that may be entered into with the OWNER in pursuance

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of the bid and assume joint and several liabilities for their execution/performance of the said contractual obligation towards the Owner including Technical Guarantees.

NOW, THEREFORE, THE PARTIES HERETO AGREE TO WORK TOGETHER AND BIND THEMSELVES AS FOLLOWS:-

1. In consideration of the bid submission by us to the Owner and the award of Contract by the OWNER to the Consortium (if selected by the OWNER), we the members of the Consortium hereby agree that the Member-I (M/s _____) shall act as the lead bidder for self and on behalf of Member-II and Member-III and further declare and confirm that we shall jointly and severally be bound unto the OWNER for execution of the contract in accordance with the contract terms and shall jointly and severally be liable to the OWNER to perform all contractual obligations including technical guarantees. Further, the Lead Bidder/Member-I is authorized to incur liabilities and receive instructions for and on behalf of other members of the Consortium during the entire execution of the contract.

2. The terms and conditions contained in these presents constitutes a full statement of the contractual rights and obligations of Lead Bidder and other Consortium Members in relation to the PROJECT and supercedes all prior negotiations, agreements and documents unless specific reference has been made in the text of this Agreement to any such negotiations, agreements and documents.



This Agreement defines and fixes the responsibilities governing the relations of the Lead Bidder and other Consortium Members in preparation of the Bid and subsequent execution of the CONTRACT with OWNER.

3. Notwithstanding anything containing hereinbefore, OWNER has got the right to fix the responsibility and accountability on any and/or all Members of the Consortium of this Agreement with or without Lead Bidder.

4. The Lead Bidder shall be responsible for
 - (i) Preparation of BID.
 - (ii) Making the final decision on all strategy for the PROJECT, including performance of the PROJECT.
 - (iii) Co-ordination responsibility for execution of the contract
 - (iv) All negotiation and communications with the OWNER
 - (v) Any other aspect/issue as described in this Agreement and/or Appendix-I of this Agreement.

5. All Costs incurred with regard to the Bid shall be borne amongst the members of the Consortium. Each party agrees to render complete assistance for providing to the other PARTY sufficient Data/information required for preparation of the Bid in its entirety.

6. At the time of submission of the bid, the PARTIES have jointly agreed to all Schedules, programs, terms and conditions, and all other matters whatsoever necessary for the submission of bid. The division of responsibilities of Scope of

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Work among different Consortium members is as per APPENDIX-I (Responsibility Matrix) (Appendix –I of this agreement is to be submitted by PARTIES) of this agreement, which shall form part of this consortium agreement.

In case of award of the Contract, each PARTY shall perform their respective scope of work and division of responsibilities in accordance with the scope indicated in APPENDIX-I (Responsibility Matrix).

It is further agreed that the sharing of responsibilities and obligations shall not in any way be a limitation of the joint and several responsibilities of the Members under the Contract.



7. PARTIES declare and undertake to OWNER that:

- a. It shall be the joint and several responsibility of Members of the Consortium to fulfil all obligations as are required under the CONTRACT entered into between OWNER and PARTIES in furtherance of PQ Booklet issued by OWNER vide **PQ Booklet No. _____ Dated _____**.
- b. Each PARTY shall be jointly and severally liable to fully discharge their obligations and co-operate with one another with respect to the PROJECT during the term of this agreement and act at all times in such a way to further the common interest of the CONSORTIUM. Without limit to the foregoing, each PARTY reaffirms not to bid for the PROJECT separately or in combination with any third party.
- c. In case of any breach of the said Contract by any PARTY, the remaining Members of the Consortium hereby agree to be fully responsible for the successful execution/performance of the Contract in accordance of the terms of the Contract.
- d. Further, if the OWNER suffers any loss or damage on account of any breach of the Contract or any shortfall in the completed equipment/plant, meeting the guaranteed performance parameters as per the technical specifications/contract documents, each Member of the Consortium undertakes to promptly make good such loss or damage caused to the OWNER, on the OWNER's demand without any demur. It shall neither be necessary nor obligatory on the part of the OWNER to proceed against the Lead Member to these presents before proceeding against other members of the Consortium.
- e. The financial liability of the Member(s) to this Consortium agreement, to the OWNER with respect to the any or all claims arising out of the performance or non-performance of the Contract shall, however be not limited in any way so as to restrict or limit the liabilities of either of the Member.
- f. In case of award of contract, PARTIES do hereby agree that the Security cum Performance Guarantee shall be submitted in favour of the OWNER from the bank acceptable/approved by the OWNER for the value as

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stipulated in the Contract Award and such guarantee shall be arranged by the Lead Bidder.

8. Any changes or amendments to this agreement shall be made after obtaining approval of the OWNER and are valid only when these are set out in writing as such amendments and signed by the PARTIES.
9. Notwithstanding the Lead Bidder's liability in terms of this Agreement, each PARTY shall be fully responsible, liable and accountable for all financial transactions under this Agreement and each PARTY shall pay its own taxes and make other statutory and mandatory payments / taxes / duties. The PARTIES herein further undertake to ensure that all applicable laws & compliances are observed, appropriate records are kept of all financial transactions and appropriate documentation, including, but not limited to contracts, orders and confirmations, receipts and invoices, time sheets of staff and payroll calculations are retained for all matters pertaining to this Agreement. In case there is contradiction in any terms & conditions between Consortium agreement & the main NIT document/Contract, the terms and conditions of the main NIT document/Contract shall prevail.
10. This agreement shall become valid upon execution and shall come to an end on the occurrence of any of the events stated herein below;
 - a. Cancellation of PROJECT by OWNER or award of PROJECT by OWNER to a third party; OR
 - b. OWNER informing that no award of contract for this project will be made to any bidder; OR
 - c. End of Defect Liability Period (in case of award of Contract).
11. This agreement shall in no way restrict any PARTY from engaging in any activities, which are not connected with this PROJECT and are not in direct competition to the activities of the PROJECT.
12. The PARTIES agree to keep confidential all information and data obtained from each other during the course of this agreement for a period of Three years from the effective date of this agreement.
13. No PARTY shall have the right to assign or in any way transfer any of its rights or obligations under this agreement to any other Company, firm or person(s) without prior consent in writing of the other members of the Consortium and OWNER.
14. The PARTIES agree that as and when called upon by OWNER, the PARTIES shall execute all further deeds, documents and agreements as may be required by OWNER.
15. It is further agreed that this Consortium Agreement shall be irrevocable and shall form an integral part of the CONTRACT and shall continue to be enforceable till such time as mentioned in clause no. 10 above.

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16. This agreement shall in all respects shall be governed, construed and interpreted in accordance with the applicable laws of India and Courts at New Delhi shall have exclusive jurisdiction in all matters arising under this agreement.

17. Any dispute or difference arising between or amongst the PARTIES under or out of this agreement which cannot be settled amicably within sixty days, shall be finally decided by arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 (as may be amended from time to time). The place of Arbitration shall be New Delhi, India and the language of Arbitration shall be English. The arbitration award given by the arbitral tribunal shall be final and binding on all the members of the Consortium.

IN WITNESS THEREOF, the PARTIES have entered into this agreement effective from the date as mentioned herein above.

For and on Behalf of

For and on Behalf of

For and on Behalf of

(Lead Bidder/Member-I)

(Member-II)

(Member-III)

Signature of Auth. Signatory
With Company Seal

Signature of Auth. Signatory
With Company Seal

Signature of Auth. Signatory
With Company Seal

(1)

(2)

(3)