



AMMONIA UREA PLANT BASED ON COAL GASIFICATION
TALCHER FERTILISERS LIMITED ODISHA (INDIA)



Date 11.01.2018

AMENDMENT-III

TO

NIT NO.: PNMM/PC 009/E-4002 dated 29.09.2017

This is for information of all Bidders who have purchased the subject NIT, that Amendment- III dated 11.01.2018 along with Exhibit (Rev-1) is being issued and shall be read in conjunction to the NIT and subsequent Amendments issued till date.

Note: Scope of work and other terms & conditions of NIT shall prevail as per original NIT alongwith subsequent amendment.

For & on behalf of
Talcher Fertilizers Ltd. (TFL)

(P. R. Sahu)

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Amendment – III Dated 11.01.2018 to NIT No. PNMM/PC-009/E-4002 For

Ammonia Urea Fertilizer Plant Based on Coal Gasification at Talcher, Odisha (India)

8.0 PRE-QUALIFICATION CRITERIA;

Bids are hereby invited from competent agencies with sound technical and financial capability meeting the respective pre-qualification requirement stated hereunder.

Evaluation of Techno-Commercial offers shall be carried out for only those Bidders who shall meet the Pre-qualification Criteria.

8.1 PQ Criteria for a Single Bidder

8.1.1 Technology Criteria

The Bidder should be capable of providing Process License and Basic Design Package of proven performance for a 2200 MTPD Single Stream Ammonia Synthesis Unit based on Ammonia Syn Gas as feed and 3850 MTPD Single Stream Prilled Urea Plant from reputed Process Licensors as required below. Technology once selected and offered by the Bidder cannot be changed

a) Ammonia Synthesis Technology :

The Ammonia Synthesis Technology proposed by Bidder shall have a reference of at least one single stream plant/unit of minimum 1700 MTPD capacity which is operating successfully for last 3 years. Bidder shall submit documentary proof for the same. Bidder has to submit MoU/ letter of undertaking from process licensor for technology tie up for the proposed project.

b) Urea Technology :

The Urea technology proposed by Bidder shall have a reference of at least one plant/unit of minimum 3000 MTPD capacity which is operating successfully for last 3 years. Bidder shall submit documentary proof for the same. Bidder has to submit MoU/ letter of undertaking from process licensor for technology tie up for the proposed project.

8.1.2 Experience Criteria

The Bidder should be an established LSTK Contractor in any of the field of Ammonia, Urea, Crude Oil Refinery, Petrochemicals, and should possess experience of having successfully completed with - single point responsibility at least one process plant in any of these fields on Lumpsum Turnkey (LSTK) basis with scope of work comprising of 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 of completed plant. The reference process plant shall be in satisfactory commercial operation for a minimum period of last one year reckoned from bid due date. The reference plant should be in operation in India or outside the country of origin of the bidder for consideration of this criterion.

Documentary proof consisting of detailed work order indicating scope of work, along with Completion/Acceptance Certificate and one year successful operation certificate issued by the Owner will have to be submitted by the bidder in support of fulfilling this criteria. The

Completion/Acceptance Certificate shall clearly indicate the LOA/Work Order number, 'Name of Work', 'Contract Value', 'Scope of Work', 'Contract Period' and actual date of completion.

- 8.1.2.1 The bidder, meeting the requirement as per clause 8.1.2. above, must have executed Process Plants in any of the field of Ammonia, Urea, Crude Oil Refinery, Petrochemicals industries, during the last twenty (20) years reckoned from bid due date any one of the following:

One Completed work costing not less than INR 18 billion or US \$ 272 million.

Or

Two Completed works each costing not less than INR 11 billion or US \$ 170 million,

Or

Three Completed works each costing not less than INR 9 billion or US \$ 136 million,

To meet the criteria (8.1.2.1) above, Bidder shall submit documentary proof such as Copy of Work Order / relevant Extract of Work Order and Completion/Acceptance Certificate. The Completion/Acceptance Certificate shall clearly indicate the LOA/Work Order no., 'Name of Work', 'Contract Value', Scope of Work, 'Contract period' and actual date of completion.

For clause 8.1.2. and 8.1.2.1, a Job executed by a Bidder for its own plant/ project cannot be considered as experience for the purpose of meeting PQC of the tender. However, jobs executed for Subsidiary/Fellow subsidiary / Holding company will be considered as experience for the purpose of meeting PQC subject to submission of tax paid invoice (s) duly certified by Statutory Auditor of the Bidder towards payments of statutory tax in support of the job executed for Subsidiary/Fellow subsidiary/ Holding company. Such Bidders to submit these documents in addition to the documents specified to meet PQC.

8.1.3 **Financial Criteria**

- a) The Average Annual financial turnover of the Bidder during the last three (3) preceding financial years i.e. 2016-17, 2015-2016, and 2014-2015 or calendar years 2016, 2015 and 2014 of the bidder , should be at least INR 7 billion or US \$ 102 Million.
- b) Net Worth of the company should be positive for financial year as on 31 March 2017 or calendar year 31 December 2016 as applicable.
- c) The Bidder will submit Solvency certificate not more than six months old from the date of issue of NIT from their Banker for a value not less than INR 9 billion or US\$ 136 million or minimum credit ratings of "A" from ICRA/CRISIL etc OR equivalent reputed institutions, OR financing/credit limits from bank of value not less than INR 9 billion or US\$ 136 million valid as on date of issue of NIT.

To meet the criteria (a & b) above, Bidder shall submit Audited Annual Statements (Balance Sheet and Profit & Loss account) of the company for the last three (3) financial years i.e. 2016-17, 2015-2016, and 2014-2015 or calendar years 2016,2015, and 2014.

NOTE:

- i. For PQ criteria in respect of Order value/Turn Over/ Net worth, in case PQ Criteria indicated by the bidders in foreign currency other than US\$, the exchange rate (as per RBI reference rate) for the relevant period shall be used for conversion to INR.

- ii. In case a bidder does not satisfy the financial criteria w.r.t. Annual Turnover & Net worth as above, on its own, then the Holding Company would be required to meet the stipulated turnover requirements, 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 bid, a letter of undertaking from the Holding Company, supported by Board Resolution, as per the prescribed format (Annexure 1.30), pledging unconditional and irrevocable financial support for the execution of the Contract by the bidder in case of award.

Further, the bidder should not be on 'Holiday'/'Negative list' by GAIL/CIL/RCF/FCIL or Public Sector Project Management Consultant (like EIL, Mecon, PDIL only due to "poor performance" or "corrupt and fraudulent practices") or banned/blacklisted by Government department/ Public Sector on due date of submission of bid. Further bidder has to submit declaration as per Annexure 1.27 of NIT. Offer submitted by such bidder shall not be considered for opening/ evaluation/Award.

8.2 PQ Criteria for a Consortium with Joint and Several Responsibilities:

The total number of Consortium members including their leader shall not exceed (03) three.

8.2.1 Technology Criteria

At least one of the Consortium members should be capable of providing Process License and Basic Design Package of proven performance for a 2200 MTPD Single Stream Ammonia Synthesis Unit based on Ammonia Syn Gas as feed and 3850 MTPD Single Stream Prilled Urea Plant as detailed below. Technology once selected and offered by the Bidder cannot be changed.

a) Ammonia Synthesis Technology :

The ammonia synthesis technology proposed by Bidder shall have a reference of at least one single stream plant of minimum 1700 MTPD capacity which is operating successfully for last 3 years. Bidder shall submit documentary proof for the same. Bidder has to submit MoU/ letter of Undertaking from process licensor for technology tie up for the proposed project.

b) Urea Technology :

The Urea technology proposed by Bidder shall have a reference of at least one plant/unit of minimum 3000 MTPD capacity which is operating successfully for last 3 years. Bidder shall submit documentary proof for the same. Bidder has to submit MoU/ letter of Undertaking from process licensor for technology tie up for the proposed project.

8.2.2 Experience Criteria (Consortium)

8.2.2.1 The Lead Consortium member should be at least an established LSTK Contractor in any of the field of Ammonia, Urea, Crude Oil Refinery, Petrochemicals & should possess experience of having successfully completed with-single point responsibility at least one process plant in any of these fields on Lumpsum Turnkey (LSTK) basis with scope of work comprising of 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 of completed plant.

The reference process plant should be in satisfactory commercial operation for a minimum period of last one year reckoned from bid due date. The reference plant should be in operation in India or outside the country of origin of the bidder for consideration of this criteria.

Documentary proof consisting of detailed work order indicating scope of work, along with Completion/Acceptance Certificate and one year successful operation certificate issued by the Owner will have to be submitted by the bidder in support of fulfilling this criteria. The Completion/Acceptance Certificate shall clearly indicate the LOA/Work Order number, 'Name of Work', 'Contract Value', 'Scope of Work', 'Contract Period' and actual date of completion.

- 8.2.2.2 The Leader of the Consortium, meeting the requirement as per clause 8.2.2.1 above, must have executed Process Plants in any of the field of Ammonia, Urea, Crude Oil Refinery, Petrochemicals industries during the last Twenty (20) years reckoned from bid due date any one of the following:

One Completed work costing not less than INR 18 billion or US \$ 272 million.

Or

Two Completed works each costing not less than INR 11 billion or US \$ 170 million,

Or

Three Completed works each costing not less than INR 9 billion or US \$ 136 million,

To meet the criteria (8.2.2.2) above, Bidder shall submit documentary proof such as Copy of Work Order /relevant Extract of Work Order and Completion/Acceptance Certificate. The Completion/Acceptance Certificate shall clearly indicate the LOA/Work Order no., 'Name of Work', 'Contract Value', Scope of Work, 'Contract period' and actual date of completion.

For clause 8.2.2.1 and 8.2.2.2, a Job executed by Leader of the Consortium/ Other Consortium member for its own plant/ project cannot be considered as experience for the purpose of meeting PQC of the tender. However, jobs executed for Subsidiary/Fellow subsidiary / Holding company will be considered as experience for the purpose of meeting PQC subject to submission of tax paid invoice (s) duly certified by Statutory Auditor of the Bidder towards payments of statutory tax in support of the job executed for Subsidiary/Fellow subsidiary/ Holding company. Such Bidders (Leader of the Consortium/ Other Consortium member) to submit these documents in addition to the documents specified to meet PQC.

8.2.3 Financial Criteria:

- a) The Average Annual financial turnover of the Leader of the Consortium during the last three (3) preceding financial years i.e. 2016-17, 2015-2016, and 2014-2015 or calendar years 2016,2015, and 2014 of the bidder , should be at least INR 7 billion or US \$ 102 million.

Average Annual financial turnover of each of the other Consortium members, during the last three (3) preceding financial years i.e. 2016-17, 2015-2016, and 2014-2015 or calendar years 2016,2015, and 2014 of the bidder , should be at least INR 3.5 billion Or US \$ 51 million.

- b) Net Worth of each of the Consortium member should be positive for financial year as on 31 March 2017 or calendar year 31 December 2016 as applicable.
- c) The Consortium members will submit solvency certificate not more than six months old from the date of issue of NIT from their bankers whose value collectively shall not be less than

INR 9 billion or US\$ 136 million or minimum credit ratings of “A” from ICRA/CRISIL etc OR equivalent reputed institutions, OR financing/credit limits from bank of value not less than INR 9 billion or US\$ 136 million valid as on date of issue of NIT.

To meet the criteria (a & b) above, each Consortium member shall submit Audited Annual Statements (Balance Sheet and Profit & Loss account) of the company for the last three (3) years i.e 2016-17, 2015-2016, and 2014-2015 or calendar years 2016,2015, and 2014.

NOTE:

- i. For PQ criteria in respect of Order value/Turn Over/ Net worth, in case PQ Criteria indicated by the bidders is in foreign currency other than US\$, the exchange rate (as per RBI reference rate) for the relevant period shall be used for conversion to INR.
- ii. In case a Consortium member does not satisfy the financial criteria w.r.t. Annual Turnover & Net worth as above, on its own, then the Holding Company of such member would be required to meet the stipulated turnover requirements, 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 member would be required to furnish along with its bid, a letter of undertaking from the Holding Company, supported by Board Resolution, as per the prescribed format (Annexure 1.30), pledging unconditional and irrevocable financial support for the execution of the Contract by the member in case of award to the Consortium.

Further, no member of the consortium should be on ‘Holiday’/‘Negative list’ by GAIL/CIL/RCF/FCIL or Public Sector Project Management Consultant (like EIL, Mecon, PDIL only due to “poor performance” or “corrupt and fraudulent practices”) or banned/blacklisted by Government department/ Public Sector on due date of submission of bid. Further bidder has to submit declaration as per Annexure 1.27 of NIT. Offer submitted by such consortium shall not be considered for opening/ evaluation/Award.

8.2.4 Consortium & distribution of work

The number of consortium members including the Leader shall not exceed three. The Leader of the Consortium and other Consortium Members shall be responsible for execution of the contract and all the activities of the Project for the entire contract period.

The identification of the Lead Bidder of the Consortium and the distribution of work, roles & responsibilities amongst the Consortium members will be clearly indicated in the form of Consortium Agreement (as per Annexure 1.24) duly signed by all the members of the Consortium and set forth in the Techno-Commercial Bid.

The leader of the Consortium shall be authorized to incur liabilities and receive instructions for and on behalf of any and all member(s) of the Consortium. Notwithstanding anything contrary in the Consortium Agreement, the leader of the Consortium shall have coordination responsibility for execution of the contract and will have to carry single point responsibility of the submitted bid and implementation of the project for the entire contract period. The leader of Consortium shall submit undertaking signed by all the Consortium members to this effect in the Techno-Commercial Bid.

All the members of the Consortium shall be liable jointly and severally for the performance of the contract and discharge of the contractor’s obligations and liabilities under the Contract. An Apostille / notarized Authenticated Declaration to this effect shall be included in the bid and a similar statement shall be specifically included in the Form of contract (in case the bid is successful), which shall also be signed by the Consortium members in confirmation.

A consortium once established at the time of submitting the Bid shall not be allowed to be altered with respect to constituting members of the Consortium or their respective roles/ scope of work, except if and when required in writing by owner. If during the evaluation of bids, a consortium/JV proposes any alteration/ changes in the orientation of consortium or replacements or inclusions or exclusions of any partner(s)/ member(s) which had originally submitted the bid, bid from such a consortium shall be liable for rejection

Any member of the consortium shall not be eligible either in an individual capacity or be a part of any other consortium to participate in this tender.

8.3 Authentication of all documents submitted against PQC

All documents in support of Technology and Experience criteria of PQC to be furnished by the bidders shall necessarily be:

| | | |
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| (a) | Indian Bidder | Duly certified / attested by Chartered Engineer and notary public with legible stamp |
| (b) | Foreign Bidder | <p>Duly certified / attested by Chartered Engineer / Licensed Professional Engineer / EurEta Registered Engineer / Eur Ing or Equivalent Registered Engineer of bidder's country with legible stamp.</p> <p>Further, supporting documents pertaining to Technology and Experience criteria of PQC should also be certified true copies, duly signed, dated and stamped by an official, authorized for this purpose in Indian Embassy / High Commission in bidder's country. However, member countries of Hague Convection 1961, supporting documents pertaining to Technology and Experience criteria of PQC certified by "Apostille affixed by Competent authorities designated by the government of bidder's country" shall also be acceptable.</p> |

In support of Financial criteria of PQC, bidder is required to submit following:

| | | |
|-----|----------------|--|
| (a) | Indian Bidder | <p>Shall submit "Details of Financial capability of bidder" in prescribed format (Annexure 1.31) duly signed & stamped by a chartered accountant.</p> <p>Further, a copy of Audited Annual Financial Statements submitted in bid shall be duly certified / attested by notary public with legible stamp.</p> |
| (b) | Foreign Bidder | <p>Shall submit "Details of Financial capability of bidder" in prescribed format (Annexure 1.31), duly signed & stamped by a chartered accountant.</p> <p>Further, a copy of Audited Annual Financial Statements submitted in bid shall be duly certified true copies, duly signed, dated and stamped by an official, authorized for this purpose in Indian Embassy / High Commission in bidder's country. However, member countries of Hague Convection 1961, supporting documents pertaining to financial PQC certified "Apostille affixed by Competent authorities designated by the government of bidder's country" shall also be acceptable.</p> |

Clause no 5.8 of LIB: EMD amount revised to **INR 221 Million** (for Indian bidder) and **USD 3.4 million** (for foreign bidder). For details refer Clause 10.0 of "Instruction to Bidders".