



GLOBAL NOTIFICATION FOR SELECTION OF TOPSIDE FACILITIES CONTRACTOR FOR LUMPSUM ENGINEERING, PROCUREMENT, CONSTRUCTION AND COMMISSIONING (EPCC) CONTRACT FOR THIRD BERTH (JETTY) AT DAHEJ LNG TERMINAL

Petronet LNG Limited, a company promoted by Bharat Petroleum Corporation Limited (“**BPCL**”), GAIL (India) Limited (“**GAIL**”), Indian Oil Corporation Limited (“**IOC**”) and Oil & Natural Gas Corporation Limited (“**ONGC**”), is engaged in the business of import, storage, regasification and marketing of Liquefied Natural Gas in India.

The company invites bid through Open International Competitive Bidding (ICB) from prospective bidders to submit their qualification proposals in accordance with Request for Proposal (RFP) document (**PLLDELPR000022024**), for selection of “EPC Contractors for Topside Facilities for Third Berth (Jetty) at Dahej LNG Terminal.”

A bid satisfying the requirements of bid eligibility/ evaluation criteria stated herein shall be evaluated for techno-commercial eligibility. Any bid not satisfying the following techno-commercial eligibility criteria shall be liable for rejection.

Bid can be submitted by a single Bidder or a Consortium Bidder. For both type of Bidders, the techno-commercial and financial qualification criteria, is described below. The Bidder should meet the same, failing which the bids are liable to be rejected:

Bid Eligibility Criteria	
	Description
A	<u>TECHNICAL & COMMERCIAL ELIGIBILITY CRITERIA</u>
	I. <u>TECHNICAL ELIGIBILITY CRITERIA</u> Bidder must meet the technical eligibility criteria as under: a. In a single project, the Bidder should have successfully completed the Detail Design, Engineering, Procurement, Construction, Commissioning and Project Management in an EPCC project on its own for topside facilities including erection of unloading arms for at least one jetty consisting of LNG or ethane liquid line of size at least 24” during the last twelve (12) years, to be reckoned from the original date of bid submission. The length of this jetty from the land fall point should not be less than 300 m. The said topside facilities should have completed at least one year of successful operation post commissioning. <p style="text-align: center;">OR</p>

- b. In a single project, the Bidder should have successfully completed the Detail Design, Engineering, Procurement, Construction, Commissioning and Project Management in an EPCC project on its own for LNG or ethane handling facilities consisting of LNG or ethane liquid line of size at least 24" and erection of associated equipment, during the last twelve (12) years, to be reckoned from the original date of bid submission. The length of said (24") LNG or ethane liquid line for this project should not be less than 300m. The facilities should have completed at least one year of successful operation post commissioning.

OR

- c. If the detailed design and engineering for the above projects as indicated at A I (a) or A I (b) was not carried out by the Bidder, the Bidder shall propose a suitable design agency as a Sub-Contractor (along with a binding MoU), who had successfully designed a jetty / LNG or ethane handling facilities meeting the technical requirements of A I (a) or A I (b) as the case may be, which had completed at least one year of successful operation post commissioning. The designing agency must have been approved by the end user (owner) of the referred project.

II. COMMERCIAL ELIGIBILITY CRITERIA:

Having successfully met the Technical Eligibility Criteria as mentioned at A (I) above, the Bidder must have on its own successfully executed / completed the **similar work(s) (*) as mentioned below:**

- a) **One (1) work having value not less than INR 230.4 Crore (Exclusive of Taxes)**

OR

- b) **TWO (2) works each having value not less than INR 172.8 Crore (Exclusive of Taxes)**

OR

- c) **THREE (3) works each having value not less than INR 115.2 Crore (Exclusive of Taxes)**

Definition of "**Similar work**":

"**Similar work**" Similar work shall mean an individual EPCC project involving hydrocarbons in petroleum refinery/ fertilizer plant/ petrochemicals complex/ LNG regasification plant/ LNG liquification plant in last 12 (twelve) years which should have been under operation for at least one year post commissioning.

III. Bidder seeking qualification on Single Bidder or Consortium basis:

Having successfully complied the conditions as described at S. No. A I & A II, either as a single bidder or in consortium, as the case may be, the bidder(s) is technically qualified to bid for the current jetty project as per the following considerations:

- a. If a Bidder has successfully complied the Technical Eligibility Criteria as stated in S. No. A I & Commercial Eligibility Criteria as mentioned at A II on its own as a single bidder, then such Bidder may bid for this project either as single bidder or as a leader of the proposed consortium. However, the proposed Consortium member must also have relevant experience in execution of topside facilities for a jetty (as defined in A I (a) above) or facilities (as defined in A I (b) above) in last 12 years.
- b. If a Bidder has successfully complied the Technical Eligibility Criteria as stated in S. No. A I & Commercial Eligibility Criteria as mentioned at S.No. A II on Consortium basis, but was the leader of such consortium, then such Bidder may bid for this project as a leader with the same Consortium Member, or with a new consortium member. However, the proposed new Consortium member must also have relevant experience in execution of topside facilities for a jetty (as defined in A I (a) above) or facilities (as defined in A I (b) above) in last 12 years.

IV. Bidder seeking qualification on basis of Technical experience of its Parent Company (which holds more than fifty percent of the paid-up share capital of the bidder company):

Offers of those Bidders (not under consortium arrangement) who themselves do not meet the Technical Eligibility Criteria as stipulated in Clause A I and are quoting based on the experience of its Parent Company shall also be considered. However, in such case the Parent Company must hold more than fifty percent of the paid-up share capital of the bidding company.

Also, the Parent Company either on its own or along with bidding entity must meet the Technical Eligibility criteria as stipulated in the S.No. A I (a or b) and should not rely on any other company or through any other arrangement like Technical collaboration agreement etc.

Technical Eligibility Criteria Clause no. A I (c) shall not be applicable for Parent Company to meet the Technical qualification.

Moreover, the Bidder on its own must meet the Commercial criteria mentioned at S.No. A II.

Further, the Bidder must enclose the following Agreements, Guarantees, Undertakings along with the techno-commercial bid:

- a. An Agreement (as per format enclosed at Appendix- 1) between the Bidder and the Parent Company.

b. Guarantee (as per format enclosed at Appendix- 2) by the Parent Company to PLL for fulfilling the obligation under the Agreement along with certificate issued by Company Secretary as per Appendix- 2

c. Undertaking by Parent Company to provide a Performance Bank Guarantee (as per format and instructions enclosed at Appendix- 3), equivalent to 5% of the total contract value.

This Performance Bank Guarantee by Parent Company shall be additional to the PBG (i.e. equivalent to 10% of the total contract value) required to be submitted by the successful Bidder.

In cases where Parent Company does not have Permanent Establishment in India as per Indian Income Tax Act, the bidding company (Bidder) can furnish Performance Bank Guarantee for an amount which is sum of PBG amount to be submitted by the Bidder and additional PBG amount required to be submitted by the Parent Company (i.e. equivalent to 15% of the total contract value).

Also, in such case bidding company shall furnish an undertaking that their foreign based Parent company is not having any Permanent Establishment in India in terms of Income Tax Act of India.

d. Undertaking from the Parent company to the effect that in addition to invoking the PBG submitted by the bidding company, the PBG provided by Parent company can be invoked by PLL due to non-performance of the bidding company.

V. NOTES FOR TECHNICAL & COMMERCIAL CRITERIA

a) In case the work orders submitted by the bidder is in multiple currency/ non-INR, the same shall be converted to equivalent INR considering the conversion rate as on the date of issue of the reference order(s) based on SBI TT selling rate or RBI / Customs Notified exchange rate.

b) A job executed by a Bidder for its own plant/projects cannot be considered as experience for the purpose of meeting requirement of BEC of the tender. However, jobs executed for Subsidiary/ Fellow subsidiary/ Holding company will be considered as experience for the purpose of meeting BEC 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 in the Bidding Documents to meet BEC.

c) All documents furnished by the Bidder in support of Technical & Commercial Criteria, shall further be verified and certified by any one of the following independent third-party inspection agencies:

i. Société Générale de Surveillance (SGS)

ii. Gulf Lloyds Industrial Services (India) Pvt. Ltd. (GLIS)

	<ul style="list-style-type: none"> iii. International Certification Services (ICS) iv. Bureau Veritas (Ind.) Pvt. Ltd (BVIS) v. TUV SUD (TUV). vi. Det Norske Veritas (DNV) vii. Certification Engineers International Ltd. (CEIL) viii. Lloyds Register Industrial Services (LRIS) <p>All charges of the third party for verification and certification shall be borne by the Bidder.</p> <ul style="list-style-type: none"> d) Any work/purchase/service order executed for PLL by any Bidder will not require any certification from external parties (i.e., Third Party Inspection agencies). e) The last twelve (12) years period shall be calculated from the date of completion of the work to be reckoned from the last date of bid submission. Even in case the date of bid submission is extended, the date originally considered as reference date for experience criteria shall remain unchanged. f) Design subcontractor proposed by Bidder to meet the BEC criteria as mentioned in clause A I (c) shall not be changed during currency of the Contract. <p>VI. <u>Specific notes (In case Bidder seeking qualification on consortium basis)</u></p> <ul style="list-style-type: none"> a) The Consortium Leader shall be responsible for entire Scope of Work under the Project with Consortium Member being jointly and severally liable for the Project. b) The consortium is restricted to have maximum of two members i.e., one Leader and one Member. c) The agreed job responsibility matrix along with MoU between consortium leader and the consortium member is to be annexed along with the bid. <p>VII. <u>Specific notes (In case Bidder seeking qualification on its Parent's Strength):</u></p> <ul style="list-style-type: none"> a) In case Bidder fails to submit the Parent Company Bank Guarantee as per Clause A IV (c), EMD/SD submitted by the bidder shall be forfeited. b) The Financial BEC is to be met by Bidder on their own. c) The clause on Land Border sharing as per ITB shall be applicable to Parent Company also.
B	<u>FINANCIAL ELIGIBILITY CRITERIA</u>
	<p>The Bidder must satisfy the following financial requirements as per their audited balance sheets (latest financial year shall be either ending in December 2023 or March 2023 as the case may be).</p> <ul style="list-style-type: none"> a) Annual Turnover: The single Bidder or the Leader of the consortium, as the case may be, should have a minimum annual turnover of ₹119.2 crore (Indian Rupees One hundred nineteen crore and twenty lakhs only) for an Indian bidder, or USD 14.35 million for foreign bidder in any of the preceding three financial years (i.e. 2022-23, 2021-22, 2020-21 or financial year ending 31st December 2023, 31st December 2022 and 31st

	<p>December 2021) prior to the prescribed bid submission date. In case of a Consortium, the minimum annual turnover of the Consortium Member (other than Leader) should be ₹59.6 crore (Indian Rupees Fifty-Nine crore and sixty lakhs only) for an Indian bidder, or USD 7.2 million for foreign bidder in any of the preceding three financial (i.e. 2022-23, 2021-22, 2020-21 or financial year ending 31st December 2023, 31st December 2022 and 31st December 2021) prior to the prescribed bid submission date.</p> <p>b) Net worth: Net worth of the Bidder should be positive in latest audited financial year. In case of Consortium Bidder, Net worth of both - the Leader and Consortium Member should be positive in latest audited financial year.</p> <p>c) Working Capital: Working Capital for the single Bidder must be at least of ₹23.8 crore or USD 2.87 million in latest audited financial year. In case of a Consortium, the Working Capital of the Leader in the latest audited financial year must be at least ₹ 23.8 crore or USD 2.87 million and that of the Consortium Member (other than Leader) must be at least ₹ 11.9 crore or USD 1.43 million.</p>
<p>Notes:</p>	<p>Documents in support of Financial Criteria:</p> <ol style="list-style-type: none"> 1. All relevant document submitted in support of financial criteria shall be duly certified by statutory Auditor of the Bidder or Independent Chartered Accountant with his seal/signature and UDIN number. 2. If the single Bidder or the Leader or the Consortium Member, as the case may be, having negative or inadequate working capital, then such single Bidder or the Consortium Leader or Consortium Member, as the case may be, shall submit a letter from any scheduled commercial bank, as per RBI Act, 1934, confirming the availability of the line of credit to cover working capital requirement specified above, as per the format provided in tender document. 3. “Net worth” means the aggregate value of the paid-up share capital and all reserves created out of the profits and securities premium account, after deducting the aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure not written off, as per the audited balance sheet, but does not include reserves created out of revaluation of assets, write-back of depreciation and amalgamation. 4. For Indian Bidders: Latest audited financial year shall be reckoned as financial year ending 31st March 2023. Bidder’s turnover, net worth and working capital shall be evaluated accordingly. Bidder would be required to provide declaration to this effect and the same shall be certified by its statutory Auditor. For tenders where the bid submission date is later than 30th September, then the financial year ending in March of the current year will be considered as the latest financial year.

5. In case of Foreign Bidder, Bidder shall provide audited balance sheet, not earlier than, as on 31st December 2023 as last financial year. In case, bidder does not have audited balance sheet as on 31st December 2023 then audited balance sheet as on 31st December 2022 or thereafter shall be considered as last financial year and Bidder's turnover, net worth and working capital shall be evaluated accordingly."
6. For authentication of document submitted in support of financial Criteria of Bid Evaluation Criteria (BEC):
- a) **Indian bidder:** shall submit "Details of financial capability of bidder" in prescribed format duly signed and stamped by a chartered accountant. Further copy of audited annual financial statements submitted in bid shall be duly certified/attested by notary public with legible stamp.
- b) **Foreign bidder:** shall submit the document as mentioned below:
- i. "Details of financial capability of bidder" in prescribed format duly signed and stamped by a chartered accountant.
 - ii. For the bidders whose financial year is calendar year, the audited financial results shall be considered on calendar year basis in lieu of financial year.
 - iii. If a Bidder is not required to get its accounts audited under Section 44AB of The Income Tax Act, 1961, certificate from a Practicing Chartered Accountant towards the turnover of the Bidder along with copy of its Income Tax Return should be obtained.
 - iv. The requirement for submission of audited financial statements is sometimes not accepted by some foreign bidders due to their internal/ local regulation (particularly in case such bidders are subsidiaries of other foreign company). Instead, they prefer to submit CEO's/ CFO's certificate (the parent company for itself or for its subsidiary) for their turnover or the financial statements. In such cases, CEO's/ CFO's certificate in original, from the company or from the parent company (in case bidder is a subsidiary) stating the turnover of the bidding entity along with a declaration that the bidding company is not in a position to submit its financial statement as per the local/ internal regulation (clearly specifying the applicable regulation) with an endorsement by Chartered Accountant/ Statutory Auditor/ Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company/ firm) may be accepted.

Wherever Chartered Accountant/ Statutory Auditor/ Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company/ firm) is not in a position to endorse such CEO's/ CFO's certificate due to local regulations, CEO's/ CFO's certificate in original without endorsement may be accepted provided a reference of the local regulation restricting this endorsement is given in the CEO's/ CFO's certificate.

General Instructions

For participation and more details Interested Party(ies) can buy the Request for Proposal (RFP) Document on payment of tender fee (Non-refundable) as per details below:

1.	Tender Name of work	Tender for Selection of EPC Contractor for Topside Facilities For Third Berth (Jetty) At Dahej LNG Terminal
2.	Type of tender	International Open / Single / Two-Stage bid
3.	Job Completion Period	Details as per Bidding document.
4.	Site Location	Petronet LNG Limited, Dahej Terminal
5.	Tender Document fee (non-refundable)	For Indian Bidder: Rs. 5,000/- (Indian Rupees Five Thousand only) Or For Foreign Bidder: \$ 100 (One Hundred US Dollar Only) The above amount is inclusive of GST, Bidder to bear any and all bank charges to ensure that above net amount (Tender fee) is credited to PLL.
6.	Earnest Money Deposit (EMD)	For Indian Bidder: INR 3,00,50,000/- (INR Three Crore and Fifty Thousand only) Or For Foreign Bidder: USD 362,000 (US Dollar Three hundred and Sixty-Two Thousand Only)
7.	Mode of payment of Tender fee and EMD	The Bidder should submit Tender Fee through online banking below PLL account details: Tender fee in USD (For Foreign Bidders) State Bank of India, New Delhi, Account No : 32519890815 Branch Code : 17313 IFSC Code : SBIN0017313 SWIFT Code : SBININBB824 MICR Code : 110002562 Correspondence Bank: State Bank of India, New York, USA Correspondence Bank Acc. No.: 77600125220002 Correspondence Bank Swift Code: SBINUS33 <ul style="list-style-type: none"> • EMD from Foreign Bidder must only be submitted in form of Bank Guarantee as per Form-5 provided in Tender document. • EMD from foreign Bidder shall not be made in form of online bank transfer.

		<p>OR</p> <p>EMD or Tender fee in INR (For Indian Bidders)</p> <p>Beneficiary Name : Petronet LNG Limited Account Number : PLLDELPR000022024 Bank Name : HDFC Bank Ltd Branch Name : K G Marg, Delhi IFSC Code : HDFC0000003</p> <p>Note:</p> <ul style="list-style-type: none"> EMD from Indian Bidder can also be submitted in form of Bank Guarantee provided in Tender document .
8.	Place and time of issue of Bid Document	<p>After submission of the fee, Bidding Document shall be available for download from 05th March 2024 to 23rd April 2024 from the below website.</p> <p>https://www.petronetlng.in/tfcbd_tenderdoc.php</p> <p>Note *: After submission of requisite amount of Tender fee, Bidder will email the receipt of the same on tftj24@petronetlng.in along with GST Certificate & PAN, PLL will issue the Tender document in soft form to the Bidder accordingly.</p> <p>PLL will issue unique user ID and password to login into the above website for download of Bidding document.</p>
9.	Tender Issuing / Receiving Authority	<p>CGM & VP (C&P) Petronet LNG Limited 1st Floor World Trade Centre Babar Road, Barakhamba Lane, New Delhi-110001 Tel. No. 011-23472525, Email: tftj24@petronetlng.in</p>
10.	Last Date/Time of Submission of Bids	On or before 24th April 2024 @ 1500 Hrs (IST) .
11.	Last date for submission of Query	On or before 19th March 2024

12.	Date for Pre-Bid Meeting	On 15th March 2024 @ 1500 hrs (IST) The Pre-Bid Meeting shall be conducted online, Bidder interested in attending the Pre-Bid meeting has to send its written request through email on tftj24@petronetlng.in on or before 14th March 2024 . PLL will send the link for joining the meeting accordingly.
13.	Copy of other documents to be submitted along with the bid	List of essential documents to be submitted along with the Bid as specified in clause C5 of ITB.
14.	Mode of submission	Bids to be submitted in accordance with clause C5 of ITB.

The Bidding Document is non-transferable, except from an entity to its promoters or vice-versa and would have to be necessarily procured by the Bidding Company.

The Bidding Document will be sold on receipt of application along with requisite Tender fee. No tender documents will, however, be sold / issued to the bidders who are on holiday by PLL (if any). If the documents were issued inadvertently / downloaded from website, offers submitted by such bidder shall not be considered if the bidder is on holiday as stated above on the due date of Bid submission, Offer/ proposal from such bidder shall be returned. The above is with prejudice to other rights of PLL.

Any revision, Addendum, time extension, etc. to this Tender Document will be hosted on the above-mentioned website(s). Bidders are requested to visit the website regularly and keep themselves updated.

PLL reserves the right not to issue the RFP document and/or accept or reject any or all the proposals at any stage of the process and/or annul / modify the process without assigning any reasons at its sole discretion.

Contact details are given below:

CGM & VP (C&P)

Petronet LNG Limited

World Trade Centre, 1st Floor, Babar Road, Barakhamba Lane, New Delhi-110 001

Tel. No.: +91-11-23472525

Email id: tftj24@petronetlng.in