

REQUEST FOR QUALIFICATION
(INSTALLATION OF WET LIMESTONE BASED FGD SYSTEM INCLUDING WET STACKS)

NABHA POWER LIMITED

(A wholly-owned subsidiary of L&T Power Development Limited)

Rajpura, Punjab, India

Request for Qualification

**For Installation of Wet Limestone based Flue Gas Desulphurisation System
Including Wet Stacks**



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GLOSSARY

Applicant(s)	As defined in clause 1.2.1
Application	As defined in the Disclaimer
Application Due Date	As defined in clause 1.3
Authorised Signatory	Person identified for Application & Bid submission for Project by Applicant
Authorised Person	Person Authorised by the Applicant vide POA
Owner	As defined in the Disclaimer
Bids	As defined in clause 1.2.3
Bid Due date	Last date of Bid submission as per RFP
Bidders	As defined in the Disclaimer
Bidding Document	As defined in clause 1.2.3
Bidding Process	As defined in clause 1.2.1
Bidding Company/Company	Company submitting the Application
Coal	Bituminous coal/ Anthracite coal
Contract Agreement	Agreement signed between Owner and Selected Bidder
Eligible Experience	As defined in clause 3.1
Eligible Projects	Projects meeting the Minimum Criteria as in Cl 2.5.1.1
Experience Score	Score as obtained in Evaluation Process
E-portal	https://c1.eproc.in
Evaluation Process	As defined Section 3
Currency Exchange Rate	Exchange Rate of INR to US\$ as published by RBI on the 7th day Prior to Application Due Date. For any other Currency, the first conversion to be done in US\$
FGD	Flue Gas Desulphurisation System
Financial Criteria	As defined in clause 2.5.2
Deed of Joint Undertaking (DJU)	Undertaking between Applicant & QFGDM
Letter of Consent	Letter issued by the QFGDM as per Cl 2.5.1.2 d
LOA	Letter of Award
Net Worth	As defined in the Notes for Clause 2.5.2.1
Project	Wet limestone based FGD with wet stacks for 2x700 MW coal-based power plant of Owner
Project Site	As mentioned in Appendix-1
Qualification	As defined in clause 1.2
Qualification Stage	As defined in clause 1.2
QFGDM	As defined in clause 2.4.1.1

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INR/Rs	Indian Rupee
RFP or Request for Proposal	As defined in clause 1.2
RFQ	Request for Qualification
Technical Requirement	As defined in clause 2.4.1
WLFGD	As defined in clause 1.1.3

The words and expressions beginning with capital letters and defined in this document shall, unless the context otherwise requires, have the meaning ascribed thereto herein

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**REQUEST FOR QUALIFICATION
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The information contained in this Request for Qualification document (the “RFQ”) or subsequently provided to Applicant(s)(the “Bidders”), whether verbally or in documentary or any other form, by or on behalf of Nabha Power Limited (the “Owner”) or any of their employees or advisors, is provided to Applicant(s) on the terms and conditions set out in this RFQ and such other terms and conditions subject to which such information is provided.

This RFQ is not an agreement and is neither an offer nor invitation by the Owner to the prospective Applicants or any other person. The purpose of this RFQ is to provide interested parties with information that may be useful to them in the formulation of their application for qualification pursuant to this RFQ (the “Application”). This RFQ includes statements, which reflect various assumptions and assessments arrived at by the Owner in relation to the Project. Such assumptions, assessments and statements do not purport to contain all the information that each Applicant may require. The assumptions, assessments, statements and information contained in this RFQ may not be complete, accurate, adequate or correct. Each Applicant should therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in this RFQ and obtain independent advice from appropriate sources.

Information provided in this RFQ to the Applicant(s) is on a wide range of matters, some of which depends upon interpretation of law. The information given is not an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. The Owner accepts no responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein.

The Owner, its employees and advisors make no representation or warranty and shall have no liability to any person, including any Applicant or Applicant(s), under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered because of anything contained in this RFQ or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of the RFQ and any assessment, assumption, statement or information contained therein or deemed to form part of this RFQ or arising in any way with pre-qualification of Applicants for participation in the Bidding Process.

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The Owner also accepts no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any Applicant upon the statements contained in this RFQ.

The Owner may, in its absolute discretion but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this RFQ.

The issuance of this RFQ does not imply that the Owner is bound to select and short-list pre-qualified Applications for Bid Stage or to appoint the selected Applicant for the Project and the Owner reserves the right to reject all or any of the Applications or Bids without assigning any reasons whatsoever.

The Applicant shall bear all its costs associated with or relating to the preparation and submission of its Application including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the Owner or any other costs incurred in connection with or relating to its Application. All such costs and expenses will remain with the Applicant and the Owner shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by an Applicant in preparation or submission of the Application, regardless of the conduct or outcome of the Bidding Process.

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1 INTRODUCTION

1.1 Background

1.1.1 Nabha Power Limited (NPL) is a 100% subsidiary of L&T Power Development Limited (L&T PDL) presently operating 1400 MW (2 x 700 MW) coal fired Thermal Power Plant near village Nalash of Rajpura Tehsil in District Patiala, Punjab, India. The plant is based on latest state of art supercritical technology.

1.1.2 NPL has a Power Purchase Agreement (PPA) with Punjab State Power Corporation Limited (PSPCL, erstwhile PSEB) for a period of 25 years from the COD of the Plant. The details of the Project Site are provided at Appendix-1. Unit 1 & 2 were commissioned on 1 February 2014 and 10 July 2014 respectively.

1.1.3 To meet the applicable MOEF&CC norms of SO₂ emissions published vide gazette notification dated 7 December 2015, NPL is required to install Wet Limestone based Flue Gas Desulphurization (“WLFGD”) System along with two Nos. of Wet Stacks of 150 m each for the 2 x 700 MW units (the “**Project**”). Owner intends to pre-qualify and short-list suitable Applicants (the “**Applicants**”) who will be eligible for participation in the Bid Stage, for awarding the Project through International Competitive Bidding (“ICB”) process in accordance with the procedure set out herein.

1.1.4 The selected Applicant shall be responsible for design, engineering, procurement, construction, testing, commissioning, operation and maintenance of the Project including sourcing of limestone and sale of gypsum, under and in accordance with the provisions of a long-term agreement (the “**Contract Agreement**”) to be entered into between the selected Bidder and the Owner in the form to be provided by the Owner as part of the Bidding Documents pursuant hereto. Details of the same is provided in relevant clause no 2.2

1.1.5 The Owner shall receive Applications pursuant to this RFQ in accordance with the terms set forth herein as modified, altered, amended and clarified from time to time by the Owner, and all Applications shall be prepared and submitted in accordance

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with such terms on or before the date specified in Clause 1.3 for submission of Applications (the “**Application Due Date**”)

1.2 Brief description of Bidding Process

1.2.1 The Owner has adopted a two-stage process (collectively referred to as the “**Bidding Process**”) for selection of the Bidder for award of the Project. The first stage (the “**Qualification Stage**”) of the process involves qualification (the “**Qualification**”) of interested parties/ consortia who make an Application in accordance with the provisions of this RFQ (the “**Applicants**”). At the end of this stage, the Owner expects to announce a list of suitable pre-qualified Applicants who shall be eligible for participation in the second stage of the Bidding Process (the “**Bid Stage**”) comprising Request for Proposals (the “**Request for Proposals**” or “**RFP**”). The second stage of the process shall be done on E-portal, details of which shall be communicated to the Qualified Applicants Individually.

1.2.2 In the Qualification Stage, Applicants would be required to furnish the information specified in this RFQ. Only those Applicants who have pre-qualified and shortlisted by the Owner shall be invited to submit their Bids for the Project. The Owner is likely to provide a comparatively short time span for submission of the Bids for the Project. The Applicants are, therefore, advised to visit the site and familiarize themselves with the Project.

1.2.3 In the Bid Stage, the Applicants will be called upon to submit their Technical Bids & Price Bids (the “**Bids**”) in respect of the Project, in accordance with the RFP and other documents to be provided by the Owner, pursuant to the RFP (collectively the “**Bidding Documents**”). The Bidding Documents for the Project would be available to

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Qualified Applicant(s) on payment of Rs 50,000 (Rs Fifty Thousand only) on E-portal post RFQ evaluation, details of which shall be communicated to Qualified Applicants.

1.2.4 During the Bid Stage, Applicants are invited to examine the Project in greater detail, and to carry out, at their cost, such studies as may be required for submitting their respective Bids for award of the Project.

1.2.5 As part of the Bidding Documents, the Owner shall provide Technical Specifications, Scope of works and Commercial Terms and Conditions which will form the part of Contract Agreement in the event of award of contract.

1.2.6 Any queries or request for additional information concerning this RFQ may be submitted in writing or by e-mail to the officer designated as below:

Head - Procurement

Nabha Power Limited

Near Village Nalash, Rajpura, Punjab -140401

Email- NPL.Procurement@larsentoubro.com

1.3 Schedule of RFQ Process

The Owner shall endeavour to adhere to the following schedule:

Event	Date
Commencement of Publication of RFQ documents	14-May-18
Last Date for Submission of Queries on RFQ	21-May-18
Response to Queries by Owner	26-May-18
Application Due Date	31-May-18
Date of Information of Shortlisted Applicants	11-Jun-18

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2 INSTRUCTIONS TO APPLICANTS

2A GENERAL

2.1 Scope of Application

- 2.1.1 Though adequate care has been taken while preparing the RFQ document, the Applicant shall satisfy himself that the same is complete in all respects. Intimation of any discrepancy shall be given to this office immediately. If no intimation is received from any Applicant within ten days from the date of publication of the RFQ document at NPL website, it shall be considered that the RFQ document is complete in all respects.
- 2.1.2 The Owner may modify, amend or supplement this RFQ document till five (05) days prior to Application Due Date. Applicant is solely responsible to keep track of such amendment(s) and accordingly submit the RFQ response.
- 2.1.3 While this RFQ has been prepared in good faith, neither the Owner nor their employees or advisors make any representation or warranty, express or implied, or accept any responsibility or liability, whatsoever, in respect of any statements or omissions herein, or the accuracy, completeness or reliability of information, and shall incur no liability under any law, statute, rules or regulations as to the accuracy, reliability or completeness of this RFQ, even if any loss or damage is caused by any act or omission on their part.
- 2.1.4 Applicant shall furnish the Deed of Joint Undertaking (if applicable) and Power of Attorney in original (hard copy form) separately to the Contact Person.
- 2.1.5 Reply to the queries / clarifications shall be placed on the E-portal.
- 2.1.6 Applicant shall submit RFQ response documents on E-portal and shall be named as ***“Application for Qualification - FGD - Rajpura Thermal Project.”***

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The scope of work for the Project shall include but not limited to following:

2.2.1 Design, engineering, manufacture, supply, transportation, installation, erection, supervision, commissioning and performance testing of FGD System and auxiliaries; Lime Stone Handling & Storage System, Gypsum Handling & Storage System and Wet Stacks including all associated mechanical, electrical, control & instrumentation, civil, structural, architectural works and such modifications to the existing system as may be necessary for interface.

2.2.2 Comprehensive Operation & Maintenance of FGD

Selected Bidder shall carry out comprehensive Operation and Maintenance (O&M) for FGD System for a period of Ten (10) years post-commissioning of FGD including supply of spares & consumables as necessary.

2.2.3 Limestone Procurement & Sale of Gypsum

Selected Bidder shall make suitable arrangements for long-term procurement of adequate quantity of limestone of requisite quality at his own cost as well as sale/disposal of gypsum.

2.3 Project Schedule

The Project schedule from the date of LOA shall be as under:

Commissioning of FGD System (First Unit) : 21 Months

Commissioning of FGD System (Second Unit) : 24 Months

2.4 Eligibility of Applicants

2.4.1 An Applicant may be a natural person, private entity, or any combination of them with a formal intent to enter into an agreement.

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2.4.2 An Applicant shall be liable for disqualification and forfeiture of Bid Security if any legal, financial or technical adviser of the Owner in relation to the Project is engaged by the Applicant in any manner for matters related to or incidental to the Project.

2.5 Minimum Qualification

The Applicant is required to possess the minimum qualifications as mentioned in the Technical Requirement (clause No. 2.5.1) & Financial Requirement (clause no 2.5.2) to be eligible for consideration in evaluation process.

2.5.1 Technical Requirement

The Applicant should meet the minimum qualifying requirements stipulated in any one of the two routes including requirements stipulated in sub-clauses of respective routes.

2.5.1.1 Route 1: Qualified Wet Limestone based Flue Gas Desulphurisation System Manufacturer (QFGDM):

An Applicant shall qualify as a QFGDM if it has designed, engineered, supplied, erected/supervised erection and commissioned/supervised commissioning **WLFGD projects with each absorber** having flue gas handling capacity of 2.2 million Nm³/hr or higher with SO₂ removal efficiency in excess of 90%, in respect of a fossil fuel-based power plant (herein after referred to as **Eligible WLFGD Project**), provided that:

at least one **Eligible WLFGD Project** should have been executed in a country outside the country of incorporation of the Applicant either by the Applicant himself or by its licensee and should have been in successful operation for a period not less than three (3) years prior to the Application Due Date.

2.5.1.2 Route-2: EPC Organization with Collaboration and Technology Transfer/Licensing Agreement with QFGDM:

The Applicant should be an Engineering, Procurement and Construction (EPC) organization fulfilling all the following criteria:

- (a) The Applicant should have executed, in the last 10 years, large projects on EPC basis in Power Plants of 500 MW & above for complete plant/BTG/SG island/TG island

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package/BOP (with or without civil works) of a fossil fuel fired power plant with the total value of such projects being at least INR 1,000 Crore.

- (b) The Applicant should have executed at least one project of the type mentioned in clause 2.5.1.2(a) having a contract value of at least INR 700 Crore and such project shall be in successful operation for a period of not less than one (1) year prior to the Application Due Date.
- (c) The Applicant should have ongoing collaboration and technology transfer/licensing agreement (which is not Project specific) with a QFGDM as on the Application Due Date, valid for a period of at least five (5) years from the Application Due Date.

The technology transfer/licensing agreement between the Applicant & QFGDM shall necessarily cover transfer of technological knowhow for WLF GD System, in the form of complete transfer of design dossier, design software(s), drawings and documentation, quality system manuals and imparting relevant training of personnel to the Applicant.

- (d) The Applicant shall furnish a Deed of Joint Undertaking (DJU) executed by it and the QFGDM as per the format provided in Annexure VIII at the time of submission of Bid. However, a letter of consent from the QFGDM to be submitted along with Application as per format - Annexure - VII

2.5.1.3 Direct / Indirect order

The Applicant shall also be considered for evaluation in case the award for executing the **Eligible WLF GD Project** has been received by the Applicant/ QFGDM either directly from owner of plant or any other intermediary organization. However, a certificate from such owner of plant or any other intermediary organisation shall be required to be furnished by the Applicant along with RFQ in support of the Applicant's claim of meeting the qualification requirement as per clause 2.5.1.1, & 2.5.1.2 above. Further, certificate from

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owner of the plant shall also be furnished by the Applicant along with the RFQ for the successful operation as specified at clause 2.5.1.1 & 2.5.1.2.

2.5.2 Financial Criteria**2.5.2.1 Financial status of Applicant**

2.5.2.1.1 The average annual turnover of the Applicant on standalone basis, in the preceding three (3) financial years as on the Application Due Date, should not be less than INR 1000 Crores or equivalent in Foreign Currency (@ Exchange Rate as defined in Glossary).

2.5.2.1.2 Net Worth of the applicant should not be less than INR 350 Crore or equivalent in Foreign Currency (@ Exchange Rate as defined in Glossary) as on the last day of the preceding financial year.

2.5.2.1.3 In cases where audited results for the preceding financial year as on the Application Due Date are not available, the financial results certified by a practicing Chartered Accountant shall be considered acceptable. Further, a certificate from the CEO and CFO of the Applicant must be submitted as per the format (Annexure-XII) stating that the financial results of the Applicant are under audit as on the date of Application Due Date and that the certificate from the practicing Chartered Accountant certifying the financial results may be accepted in lieu thereof.

2.5.2.2 Financial status of QFGDM

2.5.2.2.1 Financial criteria for QFGDM shall be same as mentioned for the Applicant.

Notes for Clause 2.5.2.1

(a) Net Worth means the sum of the paid-up share capital and free reserves. Free reserves mean all reserves credited out of the profits and share premium account but does not include reserves credited out of the revaluation of the assets, write back of depreciation provision and amalgamation. Further any debit balance of Profit and Loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from reserves.

(b) Other income shall not be considered for arriving at annual turnover.

(c) Net Worth and annual turnover in foreign currency should be converted to Indian Rupees at the Exchange Rate defined in the Glossary.

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2.5.3 The Applicants shall enclose with its application, to be submitted as per the format at Annexures the following:

(a) Certificate(s) from its statutory auditors or the concerned client(s) stating the payments made/ received or works commissioned, as the case may be, during the previous ten (10) years in respect of the project(s) specified; and

(b) Certificate(s) from its statutory auditors specifying the net worth of the Applicant, as at the close of the preceding financial year, and also specifying that the methodology adopted for calculating such net worth conforms to the provisions of the Clause 2.5.2.1.

(c) The Applicant should submit a Power of Attorney as per the format at Annexure-IX, authorizing the signatory of the Application to commit the Applicant.

2.5.3.1 The following conditions shall be adhered to while submitting the Application:

2.5.3.1.1 Applicants should attach clearly marked and referenced continuation sheets in the event that the space provided in the prescribed forms in the Annexures is insufficient. Alternatively, Applicants may format the prescribed forms making due provision for incorporation of the requested information;

2.5.3.1.2 Information supplied by an Applicant must apply to the Applicant itself or the QFGDM and not, unless specifically requested, to any other entity including associated companies or firms. RFP shall be issued only to those shortlisted Applicants whose identity and/or constitution shall remain same as at RFQ Stage;

2.5.3.1.3 While responding to this RFQ, Applicants should demonstrate their capabilities in accordance with Section 3; and

2.5.3.1.4 While Qualification is open to persons from any country, the following provisions shall be applicable in case the Applicant is from outside India:

- a. Where, on the date of the Application, not less than 15% (fifteen percent) of the aggregate issued, subscribed and paid up equity share capital in an Applicant is held by persons resident outside India or where an Applicant is controlled by persons resident outside India; or
- b. if at any subsequent stage after the date of the Application, there is an acquisition of not less than 15% (fifteen percent) of the aggregate issued, subscribed and paid up equity share capital or control (by persons resident outside India) in or of the Applicant;

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then the Qualification of such Applicant or in the event described in sub clause (2.5.2.1) above, the continued Qualification of the Applicant shall be subject to approval of the Owner. The decision of the Owner in this behalf shall be final, conclusive and binding on the Applicant.

The holding or acquisition of equity or control, as above, shall include direct or indirect holding/acquisition, including by transfer, of the direct or indirect legal or beneficial ownership or control, by persons acting for themselves or in concert and in determining such holding or acquisition, the Owner shall be guided by the principles, precedents and definitions contained in the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 1997, or any substitute thereof, as in force on the date of such acquisition.

The Applicant shall promptly inform the Owner of any change in its shareholding, as above, and failure to do so shall render the Applicant liable for disqualification from the Bidding Process.

2.5.3.1.5 If the Application Due Date falls within three months of the closing of the previous financial year of an Applicant, it shall ignore such financial year for the purposes of its Application and furnish all its information and certification with reference to the three (3) years immediately preceding the previous financial year.

2.5.4 Notwithstanding anything stated above, the Owner reserves the right to undertake a physical assessment of the capacity and capabilities including financial capacity and capability of the Applicant/QFGDM/Group Company(ies) to perform the Contract, should the circumstances warrant such assessment in the overall interest of the Owner.

The physical assessment shall include but not be limited to the assessment of the office/facilities/banker's/reference works by the Employer. A negative

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determination of such assessment of capacity and capabilities may result in the rejection of the Bid.

The above right to undertake the physical assessment shall be applicable for the Qualifying requirements stipulated in this RFQ document.

2.6 Change in QFGDM

Change in QFGDM shall neither be permitted by the Owner during the Bidding Process nor after award of the Project.

2.7 Number of Applications and costs thereof

2.7.1 An Applicant is eligible to submit only one Application for the Project through a single route. Applications through Route 2 shall not be considered if the concerned QFGDM with same technology has also applied through Route 1. However, in case QFGDM has two types of WLF GD technologies then it can participate in two Applications subjected to the conditions as below:

- a. As an Applicant with one type of technology in route-1 and as a QFGDM with another technology through route-2
- b. As a QFGDM with different Applicants offering different types of technologies through route-2

2.7.2 The Applicants shall be responsible for all the costs associated with the preparation of their Applications and their participation in either the Qualification Stage or the Bid Stage. The Owner shall not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the Bidding Process.

2.8 Site Visit and Verification of Information

Applicants are advised to submit their respective Applications after visiting the Project site and ascertaining for themselves the site conditions, location, surroundings, climate, availability of power, water and other utilities for construction, access to site, handling and storage of materials, weather data, applicable laws and regulations, and any other matter considered relevant by them for executing the Project.

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2.9 Acknowledgement by Applicant

2.9.1 It shall be deemed that by submitting the Application, the Applicant has:

- a) made a complete and careful examination of the RFQ;
- b) received all relevant information requested from the Owner;
- c) acknowledged and accepted the risk of inadequacy, error or mistake in the information provided in the RFQ or furnished by or on behalf of the Owner relating to any of the matters referred to in Clause 2.8 above; and
- d) agreed to be bound by the undertakings provided by it under and in terms hereof.

2.9.2 The Owner shall not be liable for any omission(s), mistake(s) or error(s) on the part of the Applicant in respect of any of the above or on account of any matter or thing arising out of or concerning or relating to the RFQ or the Bidding Process, including any error or mistake therein or in any information or data given by the Owner.

2.10 Right to accept or reject any or all Application(s)

2.10.1 Notwithstanding anything contained in this RFQ, the Owner reserves the right to accept or reject any Application and to annul the Bidding Process and reject all Application(s)/Bid(s), at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof.

2.10.2 The Owner reserves the right to reject any Application(s) and/or Bid(s) if:

- (a) at any time, a material misrepresentation is made or uncovered, or
- (b) the Applicant does not provide, within the time specified by the Owner, the supplemental information sought by the Owner for evaluation of the Application.

2.10.3 In case it is found during the evaluation at RFQ stage or at any time before signing of the Contract Agreement or after its execution and during the period of subsistence thereof, that one or more of the pre-qualification conditions have not been met by the Applicant or the Applicant has made material misrepresentation or has given any materially incorrect or false information, the Applicant shall be disqualified forthwith if not yet appointed as the contractor either by issue of the LOA or entering

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into of the Contract Agreement, and if the Applicant has already been issued the LOA or has entered into the Contract Agreement, as the case may be, the same shall, notwithstanding anything to the contrary contained therein or in this RFQ, be liable to be terminated, by a communication in writing by the Owner to the Applicant, without the Owner being liable in any manner whatsoever to the Applicant.

2.10.4 The Owner reserves the right to verify all statements, information and documents submitted by the Applicant in response to the RFQ. Failure of the Owner to undertake such verification shall not relieve the Applicant of its obligations or liabilities hereunder nor will it affect any rights of the Owner thereunder.

2B DOCUMENTS**2.11 Contents of the RFQ**

This RFQ comprises the disclaimer set forth hereinabove, the contents as listed below, and will additionally include any Addendum issued in accordance with Clause 2.13

Invitation for Qualification

- Section 1. Introduction
- Section 2. Instructions to Applicants
- Section 3. Criteria for Evaluation
- Section 4. Fraud & Corrupt Practices
- Section 5. Miscellaneous
- Section 6. Formats for Annexures

2.12 Clarifications

2.12.1 Applicants requiring any clarification(s) on the RFQ may notify the Owner by e-mail/alternatively can upload the query on E-portal. The Applicant should send their queries before the date specified in the schedule of RFQ Process contained in Clause no 1.3. The Owner shall endeavor to respond to the queries within the period specified therein, but no later than Five (5) days prior to the Application Due Date.

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The responses will be sent by e-mail /uploaded on the E-portal. The Owner will forward all the queries and its responses to all Applicants without mentioning the source of queries.

2.12.2 The Owner shall endeavor to respond to the queries or clarifications sought by the Applicants. However, the Owner reserves the right not to respond to any query or provide any clarification, at its sole discretion, and nothing in this clause shall be taken or read as compelling or requiring the Owner to respond to any query or to provide any clarification.

2.12.3 Owner may also on its own notion, if deemed necessary, issue interpretations and clarifications to all Applicants. All clarifications and interpretations issued by the Owner shall be deemed to be part of the RFQ. verbal clarifications and information given by Owner or its employees or representatives shall not in any way or manner be binding on the Owner.

2.13 Amendment of RFQ

2.13.1 At any time prior to at least five (05) days from the Application Due Date, the Owner may, for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, modify the RFQ by the issuance of addendum.

2.13.2 Any addendum, thus, issued shall be published on the NPL website. Applicants are required to keep track of any such addendum and owner shall not be responsible in case applicant submit the application for RFQ not based on the latest requirements, if any, vide these Addendum.

2.13.3 In order to allow the Applicants a reasonable time for taking an addendum into account, or for any other reason, the Owner may, in its sole discretion, extend the Application Due Date. While extending the Application Due Date, the Owner would have due regard for the time required by Applicants to address such amendment.

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The Application and all related correspondence and documents in relation to the Bidding Process shall be in English language. Supporting documents and printed literature furnished by the Applicant with the Application may be in any other language provided that they are accompanied by appropriate translations of the pertinent passages in the English language. Supporting materials, which are not translated into English, may not be considered. For the purpose of interpretation and evaluation of the Application, the English language translation shall prevail.

2.15 Format and signing of Application

2.15.1 The Applicant shall provide all the information sought under this RFQ. The Owner will evaluate only those Applications that are received in the required formats and complete in all respects. Incomplete and/or conditional Applications shall be liable for rejection.

2.15.2 The Applicant shall prepare one original set of the Application (together with originals/ copies of documents as required to be submitted along therewith pursuant to this RFQ

2.15.3 The Application and its copies shall be typed or written in indelible ink and signed by the Authorized Signatory of the Applicant who shall also initial each page in blue ink. All the alterations, omissions, additions or any other amendments made to the Application shall be initialed by the person(s) signing the Application. The Application shall contain page numbers.

2.16 Marking of Applications

2.16.1 The Applicant shall submit the Application in the formats as specified in clause 2.15.2.

The submission shall be titled as "***Application for Qualification - FGD - Rajpura Thermal Project***" and shall contain:

- (i) Application in the prescribed format along with annexures and supporting

**REQUEST FOR QUALIFICATION
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documents;

- (ii) Power of Attorney for signing the Application as per the format;
- (iii) copy of the Deed of Joint Undertaking if applicable;
- (iv) copy of Memorandum and Articles of Association of Applicant;
- (v) copies of Applicant's duly audited balance sheet and profit and loss account for the preceding three (03) years; and

2.16.2 Application in Hard Copy should be submitted at the communication address provided in Clause 1.2.5 and Applicant shall also submit legible scan copies of all such documents on E-portal on or before the Application Due Date. All scan/digital copies submitted shall be in PDF only

2.16.3 Applications submitted by fax, telex, telegram or e-mail shall not be entertained and shall be rejected.

2.17 Application Due Date

2.17.1 Applications should be submitted before 1600 hours IST on the Application Due Date, at the address provided in Clause 1.2.5 and on the E-portal in the manner and form as detailed in this RFQ.

2.17.2 The Owner may, at its sole discretion, extend the Application Due Date by issuing an addendum in accordance with Clause 2.12, uniformly for all Applicants.

2.18 Late Applications

There is no provision for late submission of application beyond the Application Due Date.

2.19 Modifications/ substitution/ withdrawal of Applications

2.19.1 The Applicant may modify, substitute or withdraw its Application after submission, not more than twice, provided that written notice of the modification, substitution or withdrawal is received by the Owner prior to Application Due Date. However,

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Applicant shall be responsible to make it identifiable from its earlier submissions by stating the revision number on the revised application.

2.19.2 No Application shall be modified, substituted or withdrawn by the Applicant on or after the Application Due Date.

2.19.3 Any alteration/ modification in the Application or additional information supplied subsequent to the Application Due Date, unless the same has been expressly sought for by the Owner, shall be disregarded.

2D. EVALUATION PROCESS

2.20 Opening and Evaluation of Applications

2.20.1 The E-portal service provider will provide the access to download the Applications to Owner at 11:30 hours IST on the day next to the Application Due Date. date and time of opening as mentioned to the officer designated as mentioned clause 1.2.5.

2.20.2 Applications for which a notice of withdrawal has been submitted shall not be considered.

2.20.3 The Owner will subsequently examine and evaluate Applications in accordance with the provisions set out in Section 3.

2.20.4 Applicants are advised that pre-qualification of Applicants will be entirely at the discretion of the Owner. Applicants will be deemed to have understood and agreed that no explanation or justification on any aspect of the Bidding Process or selection will be given.

2.20.5 Any information contained in the Application shall not in any way be construed as binding on the Owner, its agents, successors or assigns, but shall be binding against

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the Applicant if Project is subsequently awarded to it under the Bidding Process on the basis of such information.

2.20.6 The Owner reserves the right not to proceed with the Bidding Process at any time without notice or liability and to reject any Application without assigning any reasons.

2.21 Confidentiality

Information relating to the examination, clarification, evaluation, and recommendation for the shortlisted pre-qualified Applicants shall not be disclosed to any person who is not officially concerned with the process or is not a retained professional advisor advising the Owner in relation to, or matters arising out of, or concerning the Bidding Process. The Owner will treat all information, submitted as part of Application, in confidence and will require all those who have access to such material to treat the same in confidence. The Owner may not divulge any such information unless it is directed to do so by any statutory entity that has the power under law to require its disclosure or is to enforce or assert any right or privilege of the statutory entity and/or the Owner.

2.22 Tests of responsiveness

2.22.1 Prior to evaluation of Applications, the Owner shall determine whether each Application is responsive to the requirements of the RFQ. An Application shall be considered responsive if and only if:

- (a) it is received as per formats
- (b) it is received by the Application Due Date including any extension thereof pursuant to Clause 2.17.2;
- (c) it is accompanied by the Power of Attorney as specified in Clause 2.5.3(c);
- (d) it contains all the information (complete in all respects) as requested in this RFQ;
- (e) it contains information in formats same as those specified in this RFQ;
- (f) it is accompanied by the Deed of Joint Undertaking specific to the Project, as stipulated in Clause 2.5.1.2(d)
- (g) it does not contain any condition or qualification; and
- (i) it is not non-responsive in terms hereof.

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The Owner reserves the right to reject any Application which is non-responsive and no request for alteration, modification, substitution or withdrawal shall be entertained by the Owner in respect of such Application.

2.23 Clarifications

- (i) To facilitate evaluation of Applications, the Owner may, at its sole discretion, seek clarifications from any Applicant regarding its Application. Such clarification(s) shall be provided within the time specified by the Owner for this purpose. Any request for clarification(s) and all clarification(s) shall be in writing.
- (ii) If an Applicant does not provide clarifications sought under Sub-Clause (i) above within the prescribed time, its Application shall be liable to be rejected. In case the Application is not rejected, the Owner may proceed to evaluate the Application by construing the particulars requiring clarification to the best of its understanding, and the Applicant shall be barred from subsequently questioning such interpretation of the Owner.

2E QUALIFICATION AND BIDDING**2.24 Shortlisting and notification**

After the evaluation of submitted Applications, the Owner will inform the shortlisted pre-qualified Applicants individually for participation in the Bid stage on the E-portal and shall be asked to download the RFP to participate in the second stage of Bidding Process.

2.25 Submission of Bids

The Bidders will be requested to submit a Bid in the form and manner to be set out in the Bidding Documents. The Owner is likely to provide a comparatively short time span for submission of the Bids for the Project. The Applicants are therefore advised to visit the site and familiarize themselves with the Project by the time of submission of the Application. No extension of time is likely to be considered for submission of Bids pursuant to invitation that may be issued by the Owner.

2.26 2 Proprietary data

All documents and other information supplied by the Owner or submitted by an Applicant to the Owner shall remain or become the property of the Owner. Applicants are to treat all

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information as strictly confidential and shall not use it for any purpose other than for preparation and submission of their Application. The Owner will not return any Application, or any information provided along therewith.

2.27 Correspondence with the Applicant

The Owner shall not entertain any correspondence with any Applicant in relation to the acceptance or rejection of any Application.

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3 Evaluation

3.1 Details of Experience

- (a) The Applicant should furnish the details of Experience related to the **Eligible WLFGD Project** of the capacity 2.2 million Nm³/Hr ("**Eligible Experience**") for the past three (03) years preceding the Application Due date
- (b) The Applicants must provide the necessary information relating to Technical requirements as per format at Annexure-IV,V, VI (as applicable)
- (c) Financial requirements for purposes of evaluation
- (d) The Application must be accompanied by the audited annual reports of the Applicant for the previous three (03) financial years as defined in clause 2.5.2.
- (e) The Applicant must establish a minimum Net Worth as specified in Clause no.2.5.2.1.2, and provide details as per format at Annexure-XI

3.2 Shortlisting of Applicant

The Application submitted by the applicant shall be evaluated based on the information provided in the submitted Application, Annexures, supporting documents, verification from the client(s) by the Owner. This information will be evaluated against scope (clause 2.2) and minimum qualification (Clause 2.5) of this RFQ.

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4 Fraud and corrupt practices

- 4.1 The Applicants and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Bidding Process. Notwithstanding anything to the contrary contained herein, the owner shall reject an Application without being liable in any manner whatsoever to the Applicant if it determines that the Applicant has, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice in the Bidding Process.
- 4.2 Without prejudice to the rights of the Owner under Clause 4.1 hereinabove, if an Applicant is found by the owner to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during the Bidding Process, such Applicant shall not be eligible to participate in any tender or RFQ issued by the owner during a period of 2 (two) years from the date such Applicant is found by the owner to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as the case may be.
- 4.3 For the purposes of this Clause 4, the following terms shall have the meaning hereinafter respectively assigned to them:
- 4.3.1 “**corrupt practice**” means (i) the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the actions of any person connected with the Bidding Process (for avoidance of doubt, offering of employment to or employing or engaging in any manner whatsoever, directly or indirectly, any official of the Owner who is or has been associated in any manner, directly or indirectly with the Bidding Process or the LOA or has dealt with matters concerning the Concession Agreement or arising therefrom, before or after the execution thereof, at any time prior to the expiry of one year from the date such official resigns or retires from or otherwise ceases to be in the service of the Owner, shall be deemed to constitute influencing the actions of a person connected with the Bidding Process or (ii) engaging in any manner whatsoever, whether during the Bidding Process or after the

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issue of the LOA or after the execution of the Concession Agreement, as the case may be, any person in respect of any matter relating to the Project or the LOA or the Concession Agreement, who at any time has been or is a legal, financial or technical adviser of the Owner in relation to any matter concerning the Project;

- 4.3.2 **“fraudulent practice”** means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the Bidding Process;
- 4.3.3 **“coercive practice”** means impairing or harming or threatening to impair or harm, directly or indirectly, any person or property to influence any person’s participation or action in the Bidding Process;
- 4.3.4 **“undesirable practice”** means (i) establishing contact with any person connected with or employed or engaged by the Owner with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Bidding Process; or (ii) having a Conflict of Interest; and
- 4.3.5 **“restrictive practice”** means forming a cartel or arriving at any understanding or arrangement among Applicants with the objective of restricting or manipulating a full and fair competition in the Bidding Process.

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5 MISCELLANEOUS

5.1 The Bidding Process shall be governed by, and construed in accordance with, the laws of India and the Courts at Chandigarh shall have exclusive jurisdiction over all disputes arising under, pursuant to and/ or in connection with the Bidding Process

5.2 The Owner, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to;

- a) suspend and/or cancel the Bidding Process and/or amend and/or supplement the Bidding Process or modify the dates or other terms and conditions relating thereto;
- b) consult with any Applicant to receive clarification or further information;
- c) pre-qualify or not to pre-qualify any Applicant and/or to consult with any Applicant to receive clarification or further information;
- d) retain any information and/or evidence submitted to the Owner by, on behalf of, and/ or in relation to any Applicant; and/ or
- e) independently verify, disqualify, reject and/ or accept any and all submissions or other information and/ or evidence submitted by or on behalf of any Applicant.

It shall be deemed that by submitting the Application, the Applicant agrees and releases the Owner, its employees, agents and advisers, irrevocably, unconditionally, fully and finally from any and all liability for claims, losses, damages, costs, expenses or liabilities in any way related to or arising from the exercise of any rights and/ or performance of any obligations hereunder, pursuant hereto and/ or in connection herewith and waives any and all rights and/ or claims it may have in this respect, whether actual or contingent, whether present or future.

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Appendix-1

Project Site Information

Owner	Nabha Power Limited (NPL)
Project title	Wet Limestone FGD system & Auxiliaries & Operation and maintenance services
Location	Near Nalash Village, Rajpura, Patiala Punjab State, India
Elevation above Mean Sea Level (MSL)	Varies between 270.5 m above MSL.
Latitude / Longitude	30° 32' 36" to 30° 33'51 " North / 76° 33'42" to 76° 35' 05" East
Nearest railway station	Sarai Banjara: 5 km Rajpura: 7 km (Delhi-Ambala-Amritsar line)
Nearest City	Patiala, which is about 28 km from project site Rajpura, which is about 8 km from project site.
Nearest airport	Chandigarh, which is about 42 km from Project site
Road Approach	NH-1(Delhi-Amritsar), which is about 13 km from project site Chandigarh- Sangrur State Highway, which is about 9 km from project site
Site ambient conditions	

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Highest Temperature (Dry Bulb)	Mean Daily Maximum temp: 39.4° C (June) Mean of highest maximum: 44° C (June) Highest Temperature Recorded: 46.7° C
Lowest Temperature (Dry Bulb)	Mean Daily Minimum temp: 6.5 °C (Jan) Mean of lowest maximum: 2.1° C (Jan) Lowest Temperature Recorded: 0° C
Design ambient air temperature for Electrical equipment design	50 °C
Relative humidity	
Maximum	84%
Minimum	25%
Wind Load	
Basic wind speed	As per IS:875-1987(Part-3)
Wind Rose	Predominant wind direction is North West
Seismic zone	ZONE - IV as per IS 1893, Part-I
Average Annual rainfall	774.9 mm

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Annexure-I: Checklist for Applicants

The Applicant may use the following checklist to ensure the completeness of Application.

Annexure-I	Checklist for Applicant	
Annexure-II	Information on Applicant	
Annexure-III	Covering Letter	
Annexure-IV	Route 1 Applicant: Details of Eligible WLFGD projects executed as on Application Due Date	
Annexure-V	Route 2 Applicant: Details of Eligible WLFGD projects of QFGDM executed as on Application Due Date	
Annexure-VI	Route 2 Applicant: Details of EPC projects executed during past ten (10) years from the Application Due Date (Ref. Cl. 2.5.1.2 a & b)	
Annexure-VII	Route 2 Applicant: Letter of Consent (Ref. Cl. 2.5.1.2 d)	
Annexure-VIII	Route 2 Applicant: Deed of Joint Undertaking (Ref. Cl. 2.5.1.2 d)	
Annexure-IX	Power of Attorney in favour of Authorised Signatory	
Annexure-X	Previous three (03) years' annual reports containing audited financial accounts of the Applicant	
Annexure-XI	Format for Net Worth (Ref. Cl.2.5.2.1.2)	
Annexure-XII	Format - Certificate from CEO and CFO (Ref. cl. 2.5.2.1.2), if applicable	
Seal & Initials on all pages of Application by Authorised Signatory of the Applicant.		

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Any other necessary information and documents as required under the RFQ

Please note that the information requirement prescribed above is the minimum information required from the Applicants. The Applicant is required to provide additional information to support and supplement the above.

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(On the Letter Head of Bidding Company)

1. General

- (a) Name:
- (b) Country of incorporation:
- (c) Address of the corporate headquarters and its branch office(s), if any, in India:
- (d) Date of incorporation and/ or commencement of business:

3. Brief description of the Company including details of its main lines of business and proposed role and responsibilities in this Project:**4. Details of the QFGDM (applicable for route-2 Applicant only)**

- (a) Name:
- (b) Country of incorporation:
- (c) Address of the corporate headquarters and its branch office(s), if any, in India:
- (d) Date of incorporation and/ or commencement of business

5. Particulars of the Authorised Signatory of the Applicant:

- (a) Name:
- (b) Designation:
- (c) Address:
- (d) Phone Number:
- (e) Fax Number:
- (f) Email Address

Authorised Signatory

(Signature, Name, Designation and Seal)*

**REQUEST FOR QUALIFICATION
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(On the Letter Head of Bidding Company)

Applicants Name:

Full Address:

Telephone No:, E-mail address:, Fax/No:

To,

Head - Procurement

Nabha Power Limited

Near Village Nalash,Rajpura, Punjab-140401

Email- NPL.Procurement@larsentoubro.com

Sub :- Supply & Installation of Wet Lime Stone FGD System Including wet stack.

Ref :- RFQ document no. dated (Date)

Dear Sir,

We, the undersigned Applicant having read and examined in detail the RFQ document for Design, engineering, manufacture, supply, transportation, installation, erection, supervision, commissioning and performance testing of FGD System and auxiliaries; Lime Stone Handling & Storage System, Gypsum Handling & Storage System and Wet Stacks including all associated mechanical, electrical, control & instrumentation, civil, structural, architectural works and such modifications to the existing system as may be necessary for interface with existng system including O&M Ten (10) years, procurement of limestone and sale of Gypsum, hereby submit our Application.We confirm that neither we nor any of our Parenti Affiliate/ Ultimate Parent/associated QFGDM has submitted Application other than this directly or indirectly in response to the aforesaid RFQ document.

Name

Designation, Company

Address

Phone Nos., Fax Nos.

E-mail address

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(Signature, Name, Designation and Seal)*

Business Address:

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ANNEXURE - IV: Route 1 Applicant: Details of Eligible WLFGD projects executed

(On the Letter Head of Bidding Company)

To,

Head - Procurement

Nabha Power Limited

Aspire Tower, 4th floor, Plot No.55, Industrial and Business Park,

Phase-I, Chandigarh-160 002

Email- NPL.Procurement@larsentoubro.com

Sub: Response to RFQ for Installation of Wet LimeStone FGD system for Rajpura Thermal Power Project

Dear Sir,

We certify that the Applicant has experience of executing Eligible WLFGD projects This Technical Requirement has been calculated in accordance with instructions provided in clause 2.5.1.1 of this RFQ and on the basis of following project(s)

Project Parameter	Project1	Project 2	Project 3
Details of Power Plant of FGD project Installed			
Full Postal Address of client & project			
Contact Details of the client authorised person			
Capacity of FGD in million Nm ³ /Hr			
SO ² removal efficiency in %			
Size of the largest Unit in MW			
Role of Applicant - EPC/ Design, Engg / Supervision			
Role of Applicant			
EPC			
Design, Engg/			

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Manufacturing, Transportation	Supply,			
Construction, /Supervision	Erection			
Commissioning /Supervision				
Date of commencement of Work				
Actual Completion period (Months)				
Year of Commissioning				
Total Contract Value in INR Cr				
Total Amount received as on Application Due Date				

Signature & stamp of

Authorised Signatory

(Please also affix common seal of Bidding Company)

Date;

Notes:

1. The number of projects are shown up to three (03) only for the purpose of illustration, Applicants are advised to provide as many Eligible Projects as possible.
2. A certificate of completion duly signed by competent and authorised person of the client to be submitted.
3. Certificate indicating the amount consumed from the ordered amount duly signed by authorised person of the client is to be submitted.

**REQUEST FOR QUALIFICATION
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ANNEXURE - V: Route 2 Applicant: Details of Eligible WLFGD projects of QFGDM executed

(On the Letter Head of Bidding Company)

Head - Procurement

Nabha Power Limited

Aspire Tower, 4th floor, Plot No.55, Industrial and Business Park,

Phase-I, Chandigarh-160 002

Email- NPL.Procurement@larsentoubro.com

Sub: Response to RFQ for Installation of Wet LimeStone FGD system for Rajpura Thermal Power Project

Dear Sir,

We certify that the Applicant has selected M/s as QFGDM, who has experience of executing Eligible WLFGD projects. This Technical Requirement has been calculated in accordance with instructions provided in clause 2.5.1.1 of this RFQ and on the basis of following project(s)

Project Parameter	Project1	Project 2	Project 3
Details Power Plant of FGD Project Installed			
Full Postal Address of Client			
Contact Details of the client authorised person			
Capacity of FGD in million Nm ³ /Hr			
SO ₂ removal efficiency in %			
Size of the largest Unit in MW			
Role of QFGDM			
EPC			
Design, Engg			
Manufacturing, Transportation	Supply,		

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Construction, Erection/Supervision			
Commissioning /Supervision			
Scheduled Completion Time as stated in the (Months)			
Date of Commencement of Work			
Actual Completion Time (Months)			
Year of Commissioning			
Total Contract Value in INR Cr			
Total Amount received as on Application Due Date			

Signature & stamp of

Authorised Signatory

(Please also affix common seal of Bidding Company)

Date;

Notes:

1. The number of projects are shown up to three (03) only for the purpose of illustration, Applicants are advised to provide as many Eligible Projects as possible.
2. A certificate of completion duly signed by competent and Authorised Person of the client to be submitted
3. Certificate indicating the Amount consumed from the ordered amount duly signed by Authorised Person of the Client is to be submitted

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(Ref. Cl. 2.5.1.2 a & b)**

(On the Letter Head of Bidding Company)

To,

Head - Procurement

Nabha Power Limited

Aspire Tower, 4th floor, Plot No.55, Industrial and Business Park,

Phase-I, Chandigarh-160 002

Email- NPL.Procurement@larsentoubro.com

Sub: Response to RFQ for Installation of Wet LimeStone FGD system for Rajpura Thermal Power Project

Dear Sir,

We certify that the Applicant has experience of developing projects in the last 10 years as specified in clause 2.5.1.2(a) whose aggregate executed value is not less than Rs. 1000 Cr Out of these project, the executed value of at least one project site is equivalent or more than Rs. 700 Cr This Technical Requirement has been calculated in accordance with instructions provided in clause 2.5.1 of the RFQ and on the basis of following project:

Project Parameter	Project 1	Project 2	Project 3
Name of Bidding Company			
Relationship with Bidding Company			
% of Equity held during the execution of the project			
Details Power Plant for which the Project(s) executed			
Full Postal Address of Client			
Contact Details of the client authorised person			
Type of Fuel - Coal /Gas/Oil			
Capacity of Station in MW			

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Capacity of largest unit in MW			
Nature of works Civil / Mechanical / Electrical / Control & Instrumentation / All Inclusive			
Area of Work Complete Plant / BTG / SG island / TG island / BOP			
Role of Applicant			
EPC			
Design, Engg			
Manufacturing, Supply, Transportation			
Construction, Erection / Supervision			
Commissioning / Supervision			
Scheduled Completion period as stated in the Contract (Months)			
Date of Commencement of Work			
Actual Completion Time (Months)			
Year of Commissioning of the project			
Total Contract Value in INR Cr			
Total Amount received as on Application Due Date			

Signature & stamp of

Authorised Signatory

(Please also affix common seal of Bidding Company)

Date:

Notes:

1. The number of projects are shown up to three (03) only for the purpose of illustration, Applicants are advised to provide as many Eligible Projects as possible.

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2. A certificate of completion duly signed by competent and Authorised Person of the client to be submitted
3. Certificate indicating the Amount consumed from the ordered amount duly signed by Authorised Person of the Client is to be submitted.
4. Along with the above format, in a separate sheet provide details of computation of Turnover duly certified by Statutory Auditor.

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**Annexure-VII: Route 2 Format of Letter of Consent
(Ref.Cl.2.5.1.2 d)**

(on the letter head of QFGDM)

Dt:

(To be submitted by Applicant applying under Route: 2 through under Clause: 2.5.1.2)

We hereby declare that the undersigned firm (Name and Complete address of the QFGDM) hereby agrees to collaborate with (Name and Complete address of the Applicant) to perform all the activities till the completion of all the contractual obligations including Technical guarantees as per the scope of work for the complete Flue Gas Desulphurisation Package (2 x 700 MW) for Nabha Power Limited, Rajpura, Punjab. Further, the scope of work of the QFGDM authenticated by the Applicant and QFGDM is enclosed in the attachment

We also hereby jointly undertake to ensure for the design and quality of manufacturer, timely delivery and successful performance of the Flue Gas Desulphurisation equipment / system covered in the scope of work, fully meeting the guarantee and also depute the technical experts from time to time for advice on procedures and guidance during execution of the entire scope of work under the Contract at contractor's work / Owner's Project site.

We have gone through the complete qualifying requirements, the DJU and confirm the following:

- We shall furnish a deed of joint undertaking along with the Techno-commercial bid as per the format enclosed in the RFQ document and confirm our compliance with the same.

We hereby confirm that, on award of LOA, We, the parties concerned shall furnish a back-up guarantee as stipulated in the DJU format of RFQ document in the form of an on-demand Bank Guarantee (for the requisite amount), for the faithful performance of the contract.

WITNESS: 1

For M/s

(QFGDM) (Signature Name & Address)

(Signature of the Authorised Signatory)

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Name

Designation

Common Seal of the Company

WITNESS: 2

For M/s

(Applicant) (Signature Name & Address)

(Signature of the Authorised Signatory)

Name

Designation.....

Note: Power of Attorney(s) of the Signing Authorities to be submitted along with the Letter of Consent.

**REQUEST FOR QUALIFICATION
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(Ref.Cl.2.5.1.2 d)**

Deed of joint undertaking to be executed by the applicant (Route 2) and QFGDM for the Project

(To be on non-judicial stamp paper of appropriate value as per Stamp Act relevant to place of execution. Foreign entities submitting Application are required to follow the applicable law in their country)

[applicable for Applicant who meets the requirements of clause no 2.5.2]

This Deed of Joint Undertaking executed on thisday of.....Two thousand..... by M/s.....a Company incorporated under having its Registered Office at(hereinafter called the "Applicant" which expression shall include its successors, administrators, executors and permitted assigns) and M/s..... a company registered under the having its registered office at(hereinafter called the "QFGDM", which expression shall include its successors, administrators, executors and permitted assigns) in favour of, having its Registered Office as Post Box no. 28, Near Nalash Village, Rajpura, Patiala, Punjab State, India -140401.

WHEREAS, the Owner invited Application against its RFQ document for Design, engineering, manufacture, supply, transportation, installation, erection, supervision, commissioning and performance testing of FGD System and auxiliaries; Lime Stone Handling & Storage System, Gypsum Handling & Storage System and Wet Stacks including all associated mechanical, electrical, control & instrumentation, civil, structural, architectural works and such modifications to the existing system as may be necessary for interface with existing system.

AND WHEREAS Clause 2.5.1.2 of Technical Requirements stipulates that the Applicant based on technological support/licensee agreement with its QFGDM can also participate provided the Applicant meets the requirements stipulated at Clause No. 2.5.2.1 and its QFGDM, who in turn meets the stipulated requirements at Clause 2.5.1 of Technical Requirements of RFQ document and submits a Deed of Joint Undertaking jointly executed by the Applicant and QFGDM in which the

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Applicant and its QFGDM are jointly and severally liable to the Owner for successful performance of the WLFGD System.

WHEREAS M/s..... (Applicant) is submitting its proposal in response to the aforesaid RFQ by the Owner bearing Application No..... dated for Project against the Owner RFQ document

AND WHEREAS M/s..... (Applicant) meets the requirements of Clause No. 2.5.1 of Technical Requirement has proposed for technological support/ licensee of M/s..... (hereinafter referred to as QFGDM) who meets the requirement of Clause No. 2.5.1 of Technical Requirement.

And whereas Applicant and QFGDM are executing an irrevocable Deed of Joint Undertaking that they shall be held jointly and severally liable and bound unto the Owner for successful performance of FGD system Package .

Now therefore, this undertaking witnesseth as under:

That in consideration of the Clause 2.5.2 , we, the aforesaid QFGDM and the Applicant, do hereby declare and undertake that we shall be jointly and severally responsible to the Owner for the successful performance of the WLFGD system package.

In case of any breach of the Contract committed by the Applicant and its QFGDM ,

We, the Applicant and QFGDM , do hereby undertake, declare and confirm that we shall be fully responsible for the successful performance of WLFGD and undertake to carryout all obligation and responsibilities under this Deed of Joint Undertaking in order to discharge the obligations and responsibilities of Applicant and its QFGDM. Further if the Owner sustains any loss or damage on account of any breach of the Contract, we, the Applicant and QFGDM jointly and severally undertake to promptly indemnify, and pay such losses/damages caused to the Owner on its written demand without any demur, reservation, contest or protest in any manner whatsoever.

The Applicant and its QFGDM will be fully responsible for successful performance of WLFGD to the satisfaction of the Owner. Further, the QFGDM shall depute their technical experts from time to time to the Owner's project site as required by Owner and agreed to by the Applicant to facilitate the successful performance of the Project.

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In the event the Applicant and QFGDM fail to demonstrate successful performance of WLFGD system , the Applicant and its QFGDM shall promptly carry out all the corrective measures at their own expense and shall promptly provide corrected designs to the Owner.

We, the Applicant and QFGDM do hereby undertake and confirm that the Undertaking shall be irrevocable and shall not be revoked till ninety (90) days after the expiry of five years from the Application Due Date and further stipulate that the Undertaking herein contained shall terminate after ninety (90) days of satisfactory completion of such period. In case of the award of the contract the validity of this Deed of Joint Undertaking shall be extended up to 90 days from the completion of defect liability period.

In case of award, the QFGDM shall furnish "as Security" an on demand Performance Bank Guarantee, from Bank specified in the Bidding Documents in favour of the Owner in a form acceptable to Owner. The value of such Bank Guarantee shall be equal to 5% of the Contract value and it shall be towards guaranteeing the faithful performance/compliance of this Deed of Joint Undertaking in accordance with the terms and conditions specified herein. The Bank Guarantee shall be unconditional, irrevocable and valid for the entire period of contract, i.e. till ninety (90) days beyond the end of the Defect Liability Period of the Contract. In case of delay in completion of defect liability period, the validity of this Bank Guarantee shall be extended by the period of such delay. The Bank Guarantee amount shall be promptly paid to the Owner on demand without any demur, reservation, protest or contest.

This Deed of Joint Undertaking shall be construed and interpreted in accordance with the Laws of India and the Courts of Chandigarh shall have exclusive jurisdiction.

We, the QFGDM and the Applicant agree that this Undertaking shall be irrevocable. We further agree that this Undertaking shall continue to be enforceable till the successful completion of defect liability period in case of the award of the contract and till the Owner discharge it.

That this Deed of Undertaking shall be operative from the date of its execution.

IN WITNESS WHEREOF, the QFGDM and the Applicant, through their respective Authorized Signatories, have executed these present and affixed common seals of their respective companies on the Day, Month and Year mentioned above.

WITNESS: 1

For M/s

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(QFGDM) (Signature Name & Address)

(Signature of the Authorised Signatory)

Name

Designation

Common Seal of the Company

WITNESS: 2

For M/s

(Applicant) (Signature Name & Address)

(Signature of the Authorised Signatory)

Name

Designation.....

Note: Power of Attorney(s) of the Signing Authorities to be submitted along with the DJU.

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Annexure-IX: Power of Attorney in favour of Authorised Signatory

Power Of Attorney

(To be on non-judicial stamp paper of appropriate value as per Stamp Act relevant to place of execution. Foreign entities submitting RFQ are required to follow the applicable law in their country)

Know all men by these presents, We (name and address of the registered office) do hereby constitute, appoint and authorise Mr /Ms.....(name and residential address) who is presently employed with us and holding the position of

as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our Application against RFQ for the project [Insert name of Project] in the country of India, including signing and submission of all documents and providing information / Bids to [Insert Name], representing us in all matters before [Insert Name], and generally dealing with [Insert Name] in all matters in connection with our Application for the said Project.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

For _____

Accepted

.....(signature)

(Name, Title and Address)
of the Attorney

Note:

- The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.

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(on the letter head of Bidding Company)

Head - Procurement

Nabha Power Limited

Aspire Tower, 4th floor, Plot No.55, Industrial and Business Park,

Phase-I, Chandigarh-160 002

Email- NPL.Procurement@larsentoubro.com

Dear Sir,

Sub: Application in Response to RFQ for Installation of Wet Lime stone FGD system for Rajpura Thermal Power Project

We certify that.....(insert name of the Bidding Company) had a average Annual Turnover of Rs. 1000 Cr or equivalent foreign currency during last three years audited annual accounts. This Turnover "has been calculated in accordance with instructions provided in clause 2.5.2 of the RFQ.

For the above calculations, we have considered Turnover by Bidding Company and Or Parenti Affiliate for financial year _____as per following details:

Name of the Company	Relationship with Bidding Company * Parent/Affiliate	Networth (Rs,Crore)
Company 1		

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Total

* The column for "Relationship with Bidding Company" is to be filled only in case the financial capability of Parenti Affiliate has been used for meeting Qualification

Requirements.

Signature of
Authorised Signatory

Signature and Stamp of
Statutory Auditor

(Please also affix common seal of Bidding Company)

Date;

Note:Along with the above format, in a separate sheet provide details of computation of Turnover duly certified by Statutory Auditor.

**REQUEST FOR QUALIFICATION
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[on the letter head of Bidding Company]

To,

Head - Procurement

Nabha Power Limited

Aspire Tower, 4th floor, Plot No.55, Industrial and Business Park,

Phase-I, Chandigarh-160 002

Email- NPL.Procurement@larsentoubro.com

Dear Sir,

Sub: Application in Response to RFQ for Installation of Wet LimeStone FGD system for Rajpura Thermal Power Project

We certify that the Bidding Company had a minimum Network of satisfying the criteria as provided in RFQ and same has been calculated in accordance with instructions provided in Section 3 of the RfQ.

For the above calculations, we have considered the Network by Bidding Company and or its Parentel Affiliates for the financial year as per following details:

Name of the Company	Relationship with Bidding Company * Parent/Affiliate	Networth in INR Cr
Company 1		

Total		

* The column for "Relationship with Bidding Company" is to be filled only in case the financial capability of Parent/Affiliate has been used for *meeting* Qualification Requirements.

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Signature of

Signature and Stamp of

Authorised Signatory

Statutory Auditor

(Please also affix common seal of Bidding Company)

Date;

Note:

Along with the above format, in a separate sheet, provide details of computation of Networth duly certified by Statutory Auditor.

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Annexure-XII: Format - Certificate from CEO and CFO (Ref. cl. 2.5.2.1.2), if applicable

[to be provided on the letter head of the Applicant]

To,

Head - Procurement
Nabha Power Limited
Aspire Tower, 4th floor, Plot No.55, Industrial and Business Park,
Phase-I, Chandigarh-160 002
Email- NPL.Procurement@larsentoubro.com

Sub: Response to RFQ for Installation of Wet LimeStone FGD system for Rajpura Thermal Power Project

Dear Sir,

Reference to the subject at above we hereby certify that the financial results of the company is under Audit as on date of Application Due Date.

Signature and Stamp

Signature and Stamp

CEO

CFO