

NOTICE INVITING BIDS

BY

**SHRI LAKSHMI POWER LIMITED (SLPL)
C-40 SECTOR – 57, GAUTAM BUDH NAGAR, NOIDA,
UTTAR PRADESH, INDIA**

FOR

**BTG PACKAGE IN RELATION TO
1 X 300 MW \pm 20% COAL BASED INDEPENDENT POWER PLANT PROJECT**

Telephone No. : +91-120 4722700
e-mail : exdoc@shrilakshmi.in

TO:

Date: 2011

Dear Sirs,

1. INTRODUCTION

1.1 Shri Lakshmi Power Limited (hereinafter referred to as "**SLPL**" or the "**Employer**"), a group company promoted by Dr M.P.Agarwal, Mr Alok Agarwal and Mr Pawan Kumar Agarwal is inviting Bids, in relation to the complete BTG package consisting of boiler and auxiliaries, steam turbine and generator with associated auxiliaries, critical and power cycle piping including associate electrical works and station control and instrumentation ("**BTG PACKAGE**") for their 1 x 300MW \pm 20% Coal based Independent Power Project, Chhattisgarh, India ("**Project**"). The Bid Documents have been prepared considering 1x 300MW \pm 20% subcritical unit for the Project.

1.2 Unless otherwise specified, all capitalized terms shall have the meaning ascribed to them in the Instructions to Bidders or the Conditions of Contract, as relevant.

- 1.3 Sealed Bids in six copies (1 original + 5 copies + 1 CD) are invited in the prescribed bid forms and proforma, for the scope of the Works described in the Bid Documents. The details of the Bid are given below:

Sl. No.	Bid Parameter	Employer's requirements
(a)	Bid No.:	5110222–ME–SPC–100–001 Rev–0
(b)	Description of the Works in relation to the BTG Package :	The scope of Works in relation to the BTG Package includes the basic and detailed design, engineering, manufacture, procurement, shop testing, supply of the Goods, Materials, Plant and Spares, ocean and inland transportation to the Site, handling at the port, project management, unloading, storage, stores management, fabrication at the Site (if any), inter-Site loading and unloading, erection works (excluding civil works), installation, training of the Employer's Personnel, conduct of Tests on Completion until the issue of the Taking-Over Certificate and thereafter the conduct of Tests after Completion and remedying any defects of and in relation to the BTG Package for the Project. The scope of the Works is set out in detail in the Bid Specification.
(c)	Time for Completion:	30 months from the date of Notice to Proceed. (LOI)
(d)	Defects Notification Period:	___ months from the date of issue of the Taking-Over Certificate.
(e)	Bid Fee:	<p>For a foreign Bidder : US \$ 500 For an Indian Bidder : INR Rs.25,0000/-</p> <p>The Bid Fee is non-refundable; the same shall be remitted to the Employer in the form of a demand draft. The demand draft will be drawn in favour of: Shri Lakshmi Power Limited, payable at Noida, U.P., India.</p> <p>If the Bid Documents are required to be sent by courier, an additional amount of Rs(500/=) as courier charges for courier within India or US \$(50) as courier charges for courier outside India must be sent along with the Bid Fee. However, SLPL will not take any responsibility for loss or delay if any in the transmission of the document sent by courier.</p> <p>Alternatively, the Bidders may collect the Bid Documents</p>

Sl. No.	Bid Parameter	Employer's requirements
		from: Mr. Sunil Kumar N Shri Lakshmi Power Limited C-40 Sector-57, Gautam Budh Nagar, Noida (U.P.) India. Telephone No: +91-120 4722700 Mobile no: 09582890113 e-mail : exdoc@shrilakshmi.in
(f)	Bid Documents sale opening date and time:	22nd March, 2011 at 10.00 hours IST at SLPL office, Noida (U.P), India
(g)	Bid Documents sale closing date and time:	21 st of April, 2011 at 17.00 hours IST
(h)	Last date and time for receipt of pre-Bid queries:	5 th April, 2011 at 17:00 hours IST
(i)	Pre-bid Conference date, time and venue:	8 th April, 2011 at 11:30 hours IST at Shri Lakshmi Power Limited. , C-40 Sector-57, Gautam Budh Nagar, Noida, Uttar Pradesh, India, or at any other place in Noida that is declared by the Employer at an appropriate time.
(j)	Last date and time for submission of Bids, including the Unpriced Techno-Commercial and the Price Bid (" Bid Due Date "):	22 nd April, 2011 at 14:00 hours IST
(k)	Place for submission of Bid:	Shri Lakshmi Power Limited C-40 Sector-57, Gautam Budh Nagar, Noida, Uttar Pradesh, India.
(l)	Bid opening time & date:	Unpriced Techno-Commercial Bid: ,22 nd April, 2011 at 16:00 hours IST on the Bid Due Date. Price Bid: To be notified later, after evaluation and short listing of the qualified Un-priced Techno-Commercial Bids.
(m)	Bid validity up to:	_____ (____) days from the date of opening of Un-priced Techno-Commercial Bids.
(n)	Bid security:	For a foreign Bidder :US \$ 40,000

Sl. No.	Bid Parameter	Employer's requirements
		For an Indian Bidder : INR 20,00,000/- The Bid Security must be submitted with the Un-priced Techno-Commercial Bid.
(o)	Bid Security validity up to:	_____ days (___) from the actual date of opening of the Un-priced Techno-Commercial Bid.
(p)	Award of the Notification of Award (" NOA ") to Bidder:	Within ____ days of opening of the Price Bids.
(q)	Signing of the Contract:	Within ____ days of issue of the NOA.
(r)	Performance Security:	The lowest evaluated Bidder after comparison of the Price Bids (" Successful Bidder ") must submit the Performance Security within ____ days of the signing of the Contract Agreement as set out at Section-2 of Volume-I of the Bid Documents . Amount: 10 % of the Contract Price. Validity: Up to _____ (___) days after issue of the Performance Certificate by the Employer.
(s)	Correspondence: <u>SLPL</u> <u>FICHTNER India</u>	Mr. Alok Agarwal Managing Director Shri Lakshmi Power Limited C-40 Sector-57, Gautam Budh Nagar, Noida, Uttar Pradesh, India Telephone No: +91-120 4722700 Mobile no :09554950704/09720165625 E-mail ID: alok@shrilakshmi.in website: Mr. Sridhar Ganesan General Manager, FICHTNER Consulting Engineers (India) PVT Ltd T451, Tower -4, 5 th Floor International Infotech Park Vashi Railway Station Complex Vashi, Navi Mumbai – India E-mail: g_sridhar@mumbai.fichtner.co.in Telephone No: +91-22-27811319 Fax No : +91-22-27814245 Mobile :09869123723 website: www.fichtner.co.in

NOTE:- Months/days/date & time to be mutually discussed and incorporated.

2. ORGANISATION OF THE BID DOCUMENTS

The Bid Documents consist of the following separate parts along with amendments issued if any:

- (i) **Notice Inviting Bids ("NIB")**
- (ii) **Volume – I: Commercial Specification**

Section	Description
1.	Instructions to Bidders ("ITB")
2.	Contract Agreement
3.	General Conditions of Contract
4.	Particular Conditions of Contract
5.	Price Schedule

- (iii) **Volume – II: Technical Specification**

Section	Description
1	General Technical Specification
2	Detailed Technical Specification – Mechanical
3	Detailed Technical Specification – Electrical
4	Detailed Technical Specification – Control & Instrumentation
5	Detailed Technical Specification – Structural
6	Specific Design Data
7	List of Bid Drawings
8	Technical Data Sheets & Schedules to be furnished with the Bid
9	List of Approved Vendors

3. ELIGIBILITY CRITERIA

The eligibility criteria for the pre-qualification of Bidders, based on their Techno-Commercial Bids are set out below:

3.1 ***Experience Criteria***

The Bidder should meet the experience requirements stipulated hereunder

A. Technical Experience Criteria – 1

- 3.1.1 In order to be eligible for pre-qualification and short-listing for evaluation of Price Bids, a Bidder shall satisfy the following conditions:

- (a) The Bidder should have designed, manufactured, supplied, erected, tested and commissioned at least 2 (two) Steam Generators of unit capacity of 300 MW \pm 20% or higher rating of the offered Steam Generator which are in successful operation for a period of at least 2 (two) years, as on the Bid Due Date.
- (b) The Bidder should have designed, manufactured, supplied, erected, tested and commissioned at least 2 (two) Steam Turbines of unit capacity of 300MW \pm 20% or higher rating of the offered Steam Turbine which are in successful operation for a period of at least 2 (two) years, as on the Bid Due Date.

If the Bidder is a Consortium, the combined technical capacity of all members of the Consortium should satisfy the above conditions of eligibility.

- 3.1.2 If an entity/firm meets only the requirements of 3.1.1(a) i.e., it is a manufacturer of Steam Generators and not a manufacturer of Steam Turbines, then it shall form a consortium/joint venture with another entity/firm which satisfies the requirements of 3.1.1(b), i.e., a manufacturer of Steam Turbines.
- 3.1.3 If an entity/firm meets only the requirements of 3.1.1(b) i.e., it is a manufacturer of Steam Turbines and not a manufacturer of Steam Generators, then it shall form a consortium/joint venture with another entity/firm which satisfies the requirements of 3.1.1(a) i.e., a manufacturer of Steam Generators.
- 3.1.4 If the Bidder or Lead Member of the Bidder Consortium is a manufacturer of Steam Generator and/or Steam Turbine but does not fulfil the criteria set out at 3.1.1(a) and/or 3.1.1(b) independently, such manufacturer may enter into a technical collaboration agreement with a manufacturer which on its own fully meets the requirement of the above Clause 3.1.1(a) and/or 3.1.1(b), as the case may be (hereinafter referred to as "**Qualifying Steam Generator and/or Steam Turbine Manufacturer(s)**"), to obtain a license to the technology for manufacturing Steam Generators and/or Steam Turbines, as the case may be. Provided however that, in such event, the Bidder holding a valid technical license to manufacture Steam Generators and/or Steam Turbines, as the case may be, must furnish along with its Bid, a deed of joint undertaking in the form prescribed in the form set out at Attachment VI to Annexure 5 of the Instructions to Bidders, jointly executed by the Bidder/Member of the Bidder Consortium and the Qualifying Steam Generator and/or Steam Turbine Manufacturer, pursuant to which Bidder/Member of the Bidder Consortium and the Qualifying Steam Generator and/or Steam Turbine Manufacturer will be jointly and severally liable to Employer for any defects in the design or technology of the Steam Generator and/or the Steam Turbine that is supplied to the Employer. Provided further that, the Bidder shall undertake to procure and furnish to the Employer, collateral warranties from the Qualifying Steam Generator and/or Steam Turbine Manufacturer for the design and technology of the Steam Generators and/or Steam Turbines. The Employer shall have the right to reject the Bid, if the Bid is not accompanied by the deed of joint undertaking from the Qualifying Steam Generator and/or Steam Turbine Manufacturer.

B. Technical Experience Criteria 2

3.1.5 If the Bidder or Lead Member of the Bidder Consortium is an engineering and construction company, it shall form a consortium/joint venture with a manufacturer of Steam Generators and a manufacturer of Steam Generators. If such manufacturer that is a Member of the Bidder Consortium is a manufacturer of Steam Generator and/or Steam Turbine but does not fulfil the criteria set out at 3.1.1(a) and/or 3.1.1(b) independently, then such manufacturer(s) must comply with the requirements of 3.1.4 above. Provided however that, such Bidder or Lead Member of the Bidder Consortium should on its own have engineered, supplied and commissioned BTG package, the scope of which should have been similar/comparable to those specified in this specification, for at least 2 (two) coal fired power plants of capacity 300MW \pm 20% or higher rating which are in successful operation for a period of at least 2 (two) years as on the Bid Due Date (hereinafter referred to as a "**Qualifying Engineering Consultant**").

C. Technical Experience Criteria 3

3.1.6 If the Bidder or Lead Member of the Bidder Consortium is a turnkey management and contracting company that has executed at least 2 (two) coal fired power plant of 300MW \pm 20% or higher capacity, which is in successful operation for a period of at least 2 (two) years, as of the Bid Due Date, it shall form a consortium/joint venture with a Qualifying Engineering Consultant and a manufacture of Steam Generators and a manufacturer of Steam Generators. If such manufacturer that is a Member of the Bidder Consortium is a manufacturer of Steam Generator and/or Steam Turbine but does not fulfil the criteria set out at 3.1.1(a) and/or 3.1.1(b) independently, then such manufacturer(s) must comply with the requirements of 3.1.4 above.

3.2 **Financial Criteria**

3.2.1 The average annual turn-over of the Bidder during the last 3 (three) financial years should be equal to at least 5 (five) times the bid value. The present net worth of the Bidder shall be at least equal to the bid value.

3.2.2 The Bidder should confirm in his Un-priced Techno-Commercial Bid that these eligibility criteria are met by it. If the above information is found to be incorrect on or after opening of the Price Bids, then such Bids will be rejected.

3.2.3 The Bidder should provide a copy each audited annual report for each of the previous three financial years for ascertaining its turnover and net-worth. If the Bidder is a newly formed company (i.e., it has been in existence for a period of less than three complete financial years from the date of its incorporation), then the Bidder shall submit documentary evidence that it has been newly formed. For the purpose of ascertaining the turnover, the Bidder can submit a copy of the audited annual report of each of its parent or promoter companies for the past three years wherein the average turnover of one of the parent/promoter companies should be equal to at least the 5 (times) the bid value and whose present net-worth shall be at least equal to the bid value. Further, one of the parent/promoter companies should submit a Parent Company Guarantee, guaranteeing the due, timely and proper execution of the Works by the Bidder, if the Contract is awarded to the Bidder.

- 3.2.4 If the Bidder associates himself with an organisation or forms a Consortium as described in Clause 3.1 above, then all the members of the Consortium shall together satisfy the financial criteria stated in Clause 3.2.1 above.
- 3.2.5 In case of a Consortium, then the financial capability of all the members will be considered in line with the above criteria for their respective responsibilities. For this purpose the bidder should indicate in the Un-priced Techno-Commercial Bid, the percentage of work to be performed by the respective member/partners in terms of value of the total Contract Price. However the financial capability of sub-contractors will not be taken into consideration.
- 3.2.6 The Bidder should not be subject to any liquidation, court receivership or similar proceedings. The Bidders shall be required to make a declaration to this effect in their Un-priced Techno-Commercial Bids.

4. GENERAL INSTRUCTIONS TO BIDDERS

- 4.1 The Bidders in their own interest are advised to submit their Bids complete in all respects conforming to all terms and conditions of the Bid Documents.
- 4.2 Bids shall be evaluated based on the information/documents submitted with the Bids. Hence Bidders are advised to ensure that they submit appropriate and relevant supporting documentation along with their Bids in the first instance itself. Bids that are not substantially responsive to the Bid Documents are liable to be rejected and the Bidders will not have any further opportunity to alter or amend their Bids in any way after the Bid Due Date.
- 4.3 The Successful Bidder will not be entitled to seek and the Employer will not permit or grant any amendments to the terms of the Contract, after the issuance of the NOA, whether at the time of signing of the Contract or thereafter during its execution, except in accordance with the terms of the Contract.
- 4.4 All Bids must be accompanied by a Bid Security for an amount in the form and manner specified in the Bid Documents.
- 4.5 The Employer is following a two envelope Bidding Process for this tender. Bidders should take due care to submit their Un-priced Techno-Commercial Bids and Price Bids in two separate sealed covers, in accordance with the requirements of the ITB. The qualification criteria and bid evaluation criteria set out at Annexure 5 of the ITB will form the basis for evaluation of Bids.
- 4.6 Each Bidder must complete the Acknowledgment Letter in the format provided at Annexure 1 of the ITB and submit the same to the Employer within 7 days of receipt of the Bid Documents to such Bidder.
- 4.7 The Bidders must submit duly signed originals of this Notice Inviting Bids and the Bid Documents along with their Un-priced Techno-Commercial Bids, as a token of their acceptance. Un-priced Techno-Commercial Bids submitted without such signed original copies and without complying with the terms and conditions for submission of Bid Documents will not be considered.

5. **DISCLAIMER**

The issuance of these Bid Documents to any Bidder will not be construed as the qualification or short-listing of such Bidder and is not an assurance that the Bidding Process will not be terminated early or after the receipt of the Bids.

Yours faithfully

Alok Agarwal
Managing Director
Shri Lakshmi Power Limited