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<p style="text-align: center;"> MAHARASHTRA STATE POWER GENERATION CO. LTD. (MAHAGENCO) Projects and Planning Department 3rd Floor, Prakashgad, Prof. Anant Kanekar Marg, Bandra (East), Mumbai - 400 051 </p> <p> IFB No.: RFx. 3000035577 Date: 10.03.2023 </p> <p style="text-align: center;"> DETAILED INVITATION FOR BIDS (IFB) (LOCAL COMPETITIVE BIDDING) </p> <p style="text-align: center;"> FOR INSTALLATION OF FLUE GAS DESULPHURISATION SYSTEM and AUXILIARIES </p> <p style="text-align: center;"> FOR 3x660 MW UNITS OF MAHAGENCO, AT KORADI THERMAL POWER STATION </p> <p> 1.0 Maharashtra State Power Generation Co. Ltd. (MAHAGENCO), invites bids in two bid system (Part - 1: Techno-commercial Bid and Part 2: Price Bid) for Design, Engineering, Manufacture, Assembly, Testing at Works, Supply at Site; Civil, Structural & Architectural Works and Erection, Testing & Commissioning and Operation & Maintenance for 3 years of FGD System and Auxiliaries for Units 8, 9 & 10, Koradi - 3x660 MW Thermal Power Station on Engineering Procurement & Construction (EPC) Basis from eligible bidders. </p> <p> 2.0 The bid specification can be purchased online upon payment Rs.59,000 (in words INR Fifty Nine Thousands Only) i.e. Rs.50,000 (Basic cost)+ Rs.9000 (GST@18%) thereon through MAHAGENCO's E-tendering System as per schedule. </p>		


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3.0 The schedule for the bidding shall be as under:

Sr.	Activity	Date
1	Start Date of Acceptance of Tender Fee by MAHAGENCO and Download of Tender Document.	10.03.2023 10:00 Hrs
2	Last Date of Acceptance of Queries / Comments from Bidders.	20.03.2023
3	Pre Bid Meeting.	24.03.2023, 11:00 Hrs
4	Last Date of Acceptance of Tender Fee By MAHAGENCO and Download of Tender Document	10.04.2023 15:00 Hrs
5	Last Date for Submission of Online Bid (Techno-Commercial and Price Bids) along with EMD.	11.04.2023, 15:00 Hrs
6	Last Date for Submission of Bid (Techno-Commercial) in Physical form along with original EMD-BG.	12.04.2023, 13:00 Hrs
7	Due Date for Opening of Techno-Commercial Bids	12.04.2023, 15:00 Hrs
8	Opening of Price Bid of Qualified Bidders	Will be intimated by mail

4.0 Minimum Qualifying Requirements for the Bidders:

The Bidder should meet the qualifying requirements stipulated in any one of the qualifying routes i.e. Route- 4.1-A or 4.1-B or 4.1-C or 4.1-D including

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requirements stipulated in sub clauses of respective Route. In addition, the Bidder should also meet the requirements stipulated under Instruction to Bidders.

4.1 (A) Bidding through Qualified Wet Limestone based Flue Gas Desulphurization System Manufacturer (QFGDM)

Technical Criteria

The Bidder should meet the following requirements:


- a) The Bidder should be QFGDM. (QFGDM): Bidder should have designed, engineered, supplied, erected or supervised erection and commissioned or supervised commissioning of total contract for FGD installation in a pulverized Coal fired Power Plant, Wet Limestone based FGD system with single absorber having flue gas treatment capacity of flow not less than 10,00,000 Nm³/hr. for SO₂ removal.
- b) Foreign based QFGDM shall participate through following route:
 - i) Its subsidiary company in India.
 - ii) Forming JV with Indian Company registered in India.
 - iii) Consortium with Indian EPC Company registered in India. (Consortium leader shall be Indian partner)

The bidder in this case shall be one of the Sr. No. i to iii above.

- c) QFGDM should submit performance certificate regarding satisfactory operation of FGD system from any end user along with relevant Purchase Order/Contract Agreement. Such system should have been in successful operation for a period not less than two (2) years within last 10 years prior to the date of Techno-commercial bid submission.

Financial Criteria:


- a) Average Annual financial turnover of the bidder and QFGDM consortium partner(s) individually during last 3 years, ending 31st March of the previous financial year, should be more than values as indicated in table below:-

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Particulars	Average Annual financial turnover during last three financial years
Indian Bidder participating in the tender	Rs. 379.79 Crores
QFGDM Consortium each partner	Rs. 37.98 Crores

- b) The Net Worth of bidder and QFGDM consortium partner (in case of Consortium) individually as on the last day of the preceding financial year should be positive. (QFGDM consortium partner is the member of consortium who is holding FGD technology or FGD manufacturer.)
- c) In case the bidder or consortium partner does not satisfy the technical & financial criteria regarding Average annual financial turnover during last 3 financial years and Net worth on its own, then the technical & financial credentials of its holding company shall be submitted along with letter of undertaking from its Holding company supported by the Legal Document pledging unconditional and irrevocable financial & technical support to the bidder for the execution of the contract for five years from the last month of the date of bidding or till completion of defect liability period whichever is later.
- d) The deed of joint undertaking (DJU) and Consortium agreement should be submitted along with the Techno-commercial bid.
- e) Any Bidder (as defined under Reference - F.No.6/18/2019-PPD Ministry of Finance Department of Expenditure Public Procurement Division, 161, North Block, New Delhi dated 23rd July 2020 up to date) from a country which shares a land border with India will be eligible to bid in this tender only if bidder is registered with the Competent Authority.

4.1 (B) Bidding as EPC Organization of FGD System, should fulfill all the following requirements.

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Technical Criteria

The Bidder should meet the following requirements:

- a) The bidder should be an Engineering, Procurement and Construction (EPC) organization, based in India, and should have carried out installation of Wet Limestone based FGD system with single absorber capacity of treating flue gas flow not less than 10,00,000 Nm³/hr. for SO₂ removal in a pulverized Coal fired Power Plant on EPC basis.
- b) Such FGD system should have been in successful operation for a period not less than two (2) years within last 10 years prior to the date of Techno-commercial bid submission. Bidder to submit performance certificate regarding satisfactory operation from any end user along with relevant Purchase Order/Contract Agreement.
- c) In addition to above, the bidder should be having valid collaboration agreement or technology licensing agreement (TLA) or technology transfer agreement with QFGDM for minimum 5 years or till completion of defect liability period of the allotted FGD project whichever is later.
- d) QFGDM should submit performance certificate regarding satisfactory operation of FGD system from any end user along with relevant Purchase Order/Contract Agreement. Such system should have been in successful operation for a period not less than two (2) years within last 10 years prior to the date of Techno-commercial bid submission.
- e) QFGDM is one who has designed, engineered, supplied, erected or supervised erection and commissioned or supervised commissioning of total contract for FGD installation in a pulverized Coal fired Power Plant, Wet Limestone based FGD system with single absorber having flue gas treatment capacity of flow not less than 10,00,000 Nm³/hr. for SO₂ removal.

Financial Criteria:

- a) Average Annual financial turnover of bidder and collaborator (in case of Collaboration) individually during last 3 years, ending 31st March of the


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previous financial year, should be more than values as indicated in table below:-

Particulars	Average Annual financial turnover during last three financial years
Indian Bidder participating in the tender	Rs. 379.79 Crores
QFGDM Collaborator	Rs. 37.98 Crores

- b) The Net Worth of bidder and collaborator (in case of Collaboration) individually as on the last day of the preceding financial year should be positive.
- c) In case the bidder or collaborator does not satisfy the technical & financial criteria regarding Average annual financial turnover during last 3 financial years and Net worth on its own, then the technical & financial credentials of its holding company shall be submitted along with letter of undertaking from its Holding company supported by the Legal Document pledging unconditional and irrevocable financial & technical support to the bidder for the execution of the contract for five years from the last month of the date of bidding or till completion of defect liability period whichever is later.
- d) The deed of joint undertaking (DJU) & collaboration agreement / TLA should be submitted along with the Techno-commercial bid.
- e) Any Bidder (as defined under Reference - F.No.6/18/2019-PPD Ministry of Finance Department of Expenditure Public Procurement Division, 161, North Block, New Delhi dated 23rd July 2020 up to date) from a country which shares a land border with India will be eligible to bid in this tender only if bidder is registered with the Competent Authority.

4.1 (C) Bidding as a Steam Generator Manufacturer, should fulfill all the following requirements.

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Technical Criteria :

The Bidder should meet the following requirements:

- a) The Bidder, based in India, should have Designed, Engineered, Manufactured or got manufactured, Erected or Supervised Erection, Commissioned or Supervised Commissioning of Steam Generator in a single contract for Pulverized Coal Fired Power Plant of 200 MW or higher capacity unit.
- b) The above Steam Generator should have been in successful operation for a period not less than one (1) year within last 10 years prior to the date of Techno-commercial bid submission. Bidder to submit performance certificate regarding satisfactory operation from any end user along with relevant Purchase Order/Contract Agreement.
- c) In addition to above, the bidder should be having valid collaboration agreement or technology licensing agreement (TLA) or technology transfer agreement with QFGDM for minimum 5 years or till completion of defect liability period of the allotted FGD project whichever is later.
- d) QFGDM should submit performance certificate regarding satisfactory operation of FGD system from any end user along with relevant Purchase Order/Contract Agreement. Such system should have been in successful operation for a period not less than two (2) years within last 10 years prior to the date of Techno-commercial bid submission.
- e) QFGDM is one who has designed, engineered, supplied, erected or supervised erection and commissioned or supervised commissioning of total contract for FGD installation in a pulverized Coal fired Power Plant, Wet Limestone based FGD system with single absorber having flue gas treatment capacity of flow not less than 10,00,000 Nm³/hr. for SO₂ removal.

Financial Criteria:

- a) Average Annual financial turnover of bidder and collaborator (in case of Collaboration) individually during last 3 years, ending 31st March of the

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previous financial year, should be more than values as indicated in table below:-


Particulars	Average Annual financial turnover during last three financial years
Indian Bidder participating in the tender	Rs. 379.79 Crores
QFGDM Collaborator	Rs. 37.98 Crores

- b) The Net Worth of bidder and collaborator (in case of Collaboration) as on the last day of the preceding financial year should be positive.
- c) In case the bidder or collaborator does not satisfy the technical & financial criteria regarding Average annual financial turnover during last 3 financial years and Net worth on its own, then the technical & financial credentials of its holding company shall be submitted along with letter of undertaking from its Holding company supported by the Legal Document pledging unconditional and irrevocable financial & technical support to the bidder for the execution of the contract for five years from the last month of the date of bidding or till completion of defect liability period whichever is later.
- d) The deed of joint undertaking (DJU) & collaboration agreement / TLA, should be submitted along with the Techno-commercial bid.
- e) Any Bidder (as defined under Reference - F.No.6/18/2019-PPD Ministry of Finance Department of Expenditure Public Procurement Division, 161, North Block, New Delhi dated 23rd July 2020 up to date) from a country which shares a land border with India will be eligible to bid in this tender only if bidder is registered with the Competent Authority.

4.1 (D) Bidding as EPC Organization with collaboration or Technology Transfer Agreement or Technology Licensing Agreement with QFGDM, should fulfil all the following requirements :

Technical Criteria :

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<p>The Bidder should meet the following requirements:</p> <ol style="list-style-type: none"> a) The bidder should be an Engineering, Procurement and Construction (EPC) organization, based in India, and should have executed directly or through its subsidiaries, in the last 10 years, large industrial projects on EPC basis (with or without civil works) in the area of power, steel, oil & gas, petrochemical, fertilizer and /or any other process industry with total value of such projects being Rs.1265.95 Cr. or more. In the above projects of value Rs. 1265.95 Cr., at least one of such projects (in single or multiple contract) should have total contract value of Rs.506.38 Cr. or more during last ten (10) years ending last day of month previous to one in which applications are invited. b) Such EPC project should have been in successful operation for a period not less than one (1) year within last 10 years prior to the date of Techno-commercial bid submission. Bidder to submit performance certificate regarding satisfactory operation from any end user along with relevant Purchase Order/Contract Agreement. c) In addition to above, the bidder should be having valid collaboration agreement or technology licensing agreement (TLA) or technology transfer agreement with QFGDM for minimum 5 years or till completion of defect liability period of the allotted FGD project whichever is later. d) QFGDM should submit performance certificate regarding satisfactory operation of FGD system from any end user along with relevant Purchase Order/Contract Agreement. Such system should have been in successful operation for a period not less than two (2) years within last 10 years prior to the date of Techno-commercial bid submission. e) QFGDM is one who has designed, engineered, supplied, erected or supervised erection and commissioned or supervised commissioning of total contract for FGD installation in a pulverized Coal fired Power Plant, Wet Limestone based FGD system with single absorber having flue gas treatment capacity of flow not less than 10,00,000 Nm³/hr. for SO₂ removal. 		


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Financial Criteria:

- a) Average Annual financial turnover of bidder and collaborator (in case of Collaboration) individually during last 3 years, ending 31st March of the previous financial year, should be more than values as indicated in table below:-

Particulars	Average Annual financial turnover during last three financial years
Indian Bidder participating in the tender	Rs. 379.79 Crores
QFGDM Collaborator	Rs. 37.98 Crores

- b) The Net Worth of bidder and collaborator (in case of Collaboration) individually as on the last day of the preceding financial year should be positive.
- c) In case the bidder or collaborator does not satisfy the technical & financial criteria regarding Average annual financial turnover during last 3 financial years and Net worth on its own, then the technical & financial credentials of its holding company shall be submitted along with letter of undertaking from its Holding company supported by the Legal Document pledging unconditional and irrevocable financial & technical support to the bidder for the execution of the contract for five years from the last month of the date of bidding or till completion of defect liability period whichever is later.
- d) The deed of joint undertaking (DJU) & collaboration agreement / TLA should be submitted along with the Techno-commercial bid.
- e) Any Bidder (As defined under Reference - F.No.6/18/2019-PPD Ministry of Finance Department of Expenditure Public Procurement Division, 161, North Block, New Delhi dated 23rd July 2020 up to date) from a country which shares a land border with India will be eligible to bid in this tender only if bidder is registered with the Competent Authority.

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Bidders to note that:

- 1) Please note that, Net Worth means sum of paid up share capital and free reserves. Free reserves shall mean all reserves created out of the profit and share premium account but not include reserves created out of the revaluation of assets, write back of depreciation provision and amalgamation. Further, any debit balance and profit and loss account and miscellaneous expenses to the extent not adjusted or written off, if any, shall be reduced from the reserves and surplus. Other income shall not be considered for arriving at annual turnover.
- 2) The bidder should submit the documentary evidence such as audited profit & loss Statement, Net worth Statement, Balance sheet etc. In case audited results for the last preceding financial year are not available, certification of financial statement from practicing Chartered Accountant shall be acceptable.

3) Direct / Indirect Order:


The Bidder/QFGDM shall also be considered qualified, in case the award for executing the reference works has been received by the bidder/QFGDM either directly from owner of the plant or any other intermediary organisation.


However, a certificate from such owner of the plant or any other intermediary organisation shall be required to be furnished by the bidder along with its Techno-commercial bid in support of the bidders/QFGDM claim of meeting the QR.


4) QFGDM with Multiple Technology:


QFGDM can participate either as bidder or as a Collaborator. However, in case QFGDM have Two Types of Wet Lime Stone based FGD Technologies then only QFGDM is allowed to participate in maximum Two Bids as under -


- i) As a bidder offering one type of Technology and as a collaborator with another Bidder offering other type of Technology.
- ii) As a Collaborator with Two different Bidders offering two different types of Technologies.
 - a) In such case, Bidder would be required to provide documents/details including patents (if any) in support of having two different types of Technologies offered separately in Two Different Bids.


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<p>b) QFGDM with multiple technologies shall participate in bidding with different routes only.</p> <p>5) Notwithstanding anything stated above, the Owner reserves the right to assess Bidder's capability and capacity to perform, should the circumstances warrant such assessment in the overall interest of the Owner.</p> <p>6) The successful Bidder (Contractor), within 30 days from the date of issuance of the LOA, shall submit the Bank Guarantees as under :</p> <p>i) Contract Performance BG amounting 10% of the EPC contract cost & BG amounting 10% of O&M contract cost of the FGD system.</p> <p>ii) For TLA / Collaboration Agreement with QFGDM : In case of award of a project, the QFGDM will be required to furnish an on demand bank guarantee for an amount of as indicated below in addition to the contract performance security to be furnished by the Bidder.</p> <p>a) In case of 1 DJU partner - 1.5% of the contract price. b) In case of 2 DJU partners - 0.75% each of the contract price. c) In case of 3 and above DJU partners - 0.5% each of the contract price.</p> <p>iii) For QFGDM as a consortium partner: In case of award of a project, the QFGDM will be required to furnish an on demand bank guarantee for an amount of as indicated below in addition to the contract performance security to be furnished by the Bidder.</p> <p>a) In case of 1 Consortium partner - 5% of the contract price. b) In case of 2 Consortium partners - 2.5% each of the contract price.</p> <p>Consortium partners submitting the above bank guarantees are not required to submit the bank guarantees against the DJU.</p> <p>4.2 Deleted</p> <p>4.3 Notes</p> <p>(1) (Definitions)</p> <p>(i) "QFGDM" (Qualified Wet Limestone based Flue Gas Desulphurisation System Manufacturer) means a manufacturer meeting requirements stipulated at 4.1A.</p>		

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<p>(ii) Subsidiary Company means a company in which the holding company exercises or controls more than one half (50%) of the total share capital either at its own or together with one or more of its subsidiary companies. Such control should be for minimum 5 years or till completion of Defect Liability period of the allotted FGD project whichever is later.</p> <p>(iii) Whenever the term 'coal fired' is appearing above, "Coal" shall be deemed to also include bituminous coal/brown coal/Anthracite Coal/lignite.</p> <p>(iv) "Flue Gas Desulphurisation System" or "FGD System" wherever appearing above shall mean consisting of at least Single Absorber System.</p> <p>(2) Erection/Commissioning:</p> <p>Where erection / supervision of erection and commissioning / supervision of commissioning has not been in the scope of the Bidder as mentioned in clause 4.1A, 4.1B, 4.1C & 4.1D, the Bidder should have acted as an advisor for erection and commissioning. Necessary documents / certificates from the client, in support of above shall be furnished along with the Techno-commercial bid.</p> <p>4.4 Restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017</p> <ol style="list-style-type: none"> 1) Any bidder from a country which shares a land border with India will be eligible to bid in this tender, only if, the bidder is registered with the Competent Authority (As per F.No. 6/18/2019-PPD, Ministry of Finance, Department of Expenditure, Public Procurement Division dated 23.07.2020). The registration should be valid at the time of submission of bids and at the time of acceptance of bids. 2) "Bidder" means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial judicial person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process. 3) Bidder from a country which shares a land border with India means :- <ol style="list-style-type: none"> a. An entity incorporated, established or registered in such a country; or 		

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<p>b. A subsidiary of an entity incorporated, established or registered in such a country ; or</p> <p>c. An entity substantially controlled through entities incorporated, established or registered in such a country; or</p> <p>d. An entity whose <i>beneficial owner</i> is situated in such a country; or</p> <p>e. An Indian (or other) agent of such an entity; or</p> <p>f. An natural person who is a citizen of such a country; or</p> <p>g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above.</p> <p>4) The <i>beneficial owner</i> for the purpose of d above will be as under :</p> <p>a) In case of a company or Limited Liability Partnership, the beneficial owner is the natural persons(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.</p> <p>Explanation-</p> <p>i. “Controlling ownership interest” means ownership of or entitlement to more than twenty-five percent of shares or capital or profits of the company.</p> <p>ii. “Control” shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements.</p> <p>b) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership.</p> <p>c) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals.</p>		

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<p>d) Where no natural person is identified under (a) or (b) or (c) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;</p> <p>e) In case of trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.</p> <p>5) An agent is a person employed to do any act for another, or to represent another in dealings with third person.</p> <p>6) The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares land border with India unless such contractor is registered with the Competent Authority.</p> <p>4.5 The deed of joint undertaking (DJU) & collaboration agreement / consortium agreement / TLA should be submitted along with the Techno-commercial bid. The DJU shall be submitted by the Bidder, QFGDM, Subsidiary Company/Joint Venture Company, Consortium Partner, Collaborator, TLA provider (As applicable)</p> <p>4.6 All above Qualifying Requirements should be read in totality and not in isolation.</p> <p>4.7 Notwithstanding anything stated above, the Owner reserves the right to assess Bidder's capability and capacity to perform, should the circumstances warrant such assessment in the overall interest of the Owner.</p> <p>5.0 <u>TENDERING PROCESS :</u></p> <p>5.1 Single Tender (E-Bid) for FGD System of 660 MW units (Units-8, 9 & 10) at Koradi Thermal Power Station is invited from eligible Indian Bidders on single stage, two envelope bidding basis. Envelope-I - Techno-commercial Bid and Envelope-II -Price Bids for the brief scope of work mentioned in relevant section.</p> <p>5.2 Selection of successful bidder for award of contract shall be done by following Reverse Auction process as detailed in Clause No. 31.7 Section-I.</p>		

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<p>6.0 Bid Security: The bidder shall have to deposit an interest free Bid Security i.e. unconditional Earnest Money Deposit (EMD) amounting to INR 12,66,00,000/- (In words INR Twelve Crore Sixty Six Lakh only) along with the bid in the form stipulated in the bid specification.</p> <p>7.0 For accessing the tender document visit our website: - https://eprocurement.mahagenco.in. The bidders already registered for Mahagenco SRM e-tendering system can access/download the tender after due payment of tender fee.</p> <p>8.0 For the bidders who are not registered with Mahagenco SRM e-tendering system, required to be registered with Mahagenco. Registration will be done after furnishing and physical verification of the required documents/details of the company. The registration procedure is given on https://eprocurement.mahagenco.in Documentation, section.</p> <p>9.0 The Pre-bid meeting shall be conducted at owners office on 24.03.2023 at 11:00 Hrs.</p> <p>10.0 The bidders who have purchased the bid and the prospective bidders who are willing to participate in the meeting are requested to submit the following details:</p> <ol style="list-style-type: none"> 1. Name of Company & address 2. Name of Person participating in the meeting 3. Email id & Mobile no. of the above person <p>Maximum two participants may be allowed from each bidder for the VC.</p> <p>Please submit the above details on or before 20.03.2023 @15:00Hrs on Mahagenco's email ID cgmpp@mahagenco.in , segpp1@mahagenco.in, eegpp14@mahaneco.in . The link for VC shall be sent on the email ID of the respective participant.</p> <p>11.0 MAHAGENCO does not bind itself to accept the lowest or any of the bids and reserves the right to accept any bid or reject any or all bids without assigning any reasons thereof.</p> <p>12.0 MAHAGENCO reserves the right to withdraw this Invitation for Bids or cancel the bidding process at any time without assigning any reason for such decision.</p>		

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<p>13.0 The bidders are required to visit www.mahagenco.in and or https://eprocurement.mahagenco.in, for corrigendum/amendments, if any at a future date.</p> <p>For further clarification, Superintending Engineer, Project and Planning can be contacted on 022-26474211(Extn.:2304)/ 9422754449</p> <p>Email:-cgmpp@mahagenco.in, segpp1@mahagenco.in , eegpp14@mahagenco.in</p> <p style="text-align: right;">Sd/- Chief Engineer (P&P) MAHAGENCO, Mumbai -400 051</p>		