

Corrigendum - III

RFP for setting up of Silica Sand Beneficiation Plant

RFP No. GS/SS/01/2023-24

Modification in Clauses

The following changes in relevant clauses are done in RFP for setting up Silica Sand Beneficiation Plant:

Clause No.	Old	Addition /Modification
1.1 & 1.2 Section-III	1.1 Experience & 1.2 Financials	Addition: Bidder can participate as a consortium subject to the revised qualification criteria as per Annexure-I.
04, Section-IV	Security Deposit Security Deposit is measure of liquidated damages sustained by GMDC for not performing the contract satisfactorily. Nothing herein above shall disentitle GMDC from claiming the damages actually sustained in the value over and above the Security Deposit. The successful bidder shall submit security deposit of INR 1,00,00,000 (One Crore rupees). Security deposit shall be submitted within 30 days from the date of receipt of LOI in any one of following form. For successful bidder, bid security amount shall be adjusted with Security deposit.	Modification: Security Deposit @ 20% of the material value (Total Offer Price (Rs.45 + Premium) X Total Annual Quantity) shall be chargeable and adjustment as per price increase every 02 years shall be payable as SD accordingly. The earlier SD amount of INR 1,00,00,000 is removed. Other terms and conditions remain unchanged.
8C, Section-V	It is desired that successful Bidder should complete Silica sand plant set up and operationalize it within the span of 1 year after issue of LOI to successful bidder. Lifting of raw silica sand shall be	Modification: It is desired that successful Bidder should complete Silica sand plant set up and operationalize it within the span of 1 year after issue of LOI to successful

	started as per agreement from 2nd year onwards.	bidder. Lifting of raw silica sand shall be started as per agreement from 2nd year onwards. However extension shall be given for 1 year based on merit of the progress of plant setup done by the successful bidder, which will be total based on GMDC's jurisdiction.
--	---	--

Other terms and conditions remained unchanged.

General Manager (Marketing & Sales)

Annexure-I Qualification Criteria

Qualification Routes:

1. Bidder may participate through one of the two routes provided below. The Proposal is to be submitted by: -
 - (a) Route A: The Bidder who would be sole Bidder, should be a bidding company or individual, proprietorship firm or partnership firm.
 - (b) Route B: Bidding Consortium, each Member of which shall be any bidding company or individual, proprietorship firm or partnership firm.

Route A: The Sole Bidder (Package-01)

1. Under Route A, the Bidder (Sole Bidder) meeting the Technical and Financial Criteria on its own, on standalone basis.
2. If the Selected Bidder is Bidding Company, and if it forms a special purpose vehicle (SPV) to act as the contractor, it shall hold 100% of the equity in the contract throughout the Contract period. Notwithstanding the formation of the SPV, the Selected Bidder shall be jointly and severally responsible with the SPV for performance of the obligations contemplated under the Tender document.

Route B: Bidding Consortium (Package-01)

1. A Bidding Consortium shall comprise of only two members.
2. The Bidding Consortium shall comprise of a Lead member and Other Member holding minimum of 51% and 26% equity interest respectively in the Bidding Consortium.
3. In case the Bidder is a Bidding Consortium, the Proposal must be submitted in the name of the Bidding Consortium signed by the Authorized Representative of the Consortium who shall be an employee/officer of the Lead Member.
4. In case the Bidder is a Bidding Consortium, Lead Member shall meet Technical Criteria. Financial Criteria can be met collectively. It is clarified that Lead Member can meet both criteria on its own as well.
5. In case the Bidder is a Bidding Consortium, the members are not allowed to take strength from their Subsidiary Company or Holding Company.
6. Any company whether by itself or through its Promoters, Affiliates, Associate and/ or its Subsidiary (ies) and/ or its Holding company (ies) cannot be a member of more than one Bidding Consortium.
7. In case the Bidder is a Bidding Consortium, each member of the Consortium should have positive Net worth as on the 31.03.2023.
8. In case the Bidder is a Bidding Consortium, Members will be required to furnish legally enforceable Consortium Agreement in the format as specified in Section 11 along with its Technical Proposal holding themselves jointly & severally responsible and liable to GMDC to perform all contractual obligations as per the terms and conditions of the tender document, valid for the entire Contract Period. No change in the composition of

the Consortium without the prior written consent of the GMDC shall be allowed. The Lead Member of the Consortium shall be responsible for coordination of all the activities of the contract as specified in the agreement.

9. In case the Bidder is a Bidding Consortium and it takes strength of the Other Member for financial qualification, in accordance with the provisions of the Section 3.6, it shall submit legally binding undertaking supported by a board resolution at the Proposal stage from its Other Member providing financial qualification that all the financial obligations of the Bidder shall be deemed to be financial obligations of its Other Member, and in the event of any default or failure of the Bidding Consortium to perform the same shall be met by the Other Member. In case, Other Member is not providing financial support to the Bidder for the purpose of qualification, the Other Member needs to submit the board resolution confirming its participation in the Bidding Process, as Other Member as per provisions of this RFP DOCUMENT.
10. Both the Members in the consortium shall be severally and jointly responsible for all liabilities including operational, financial, legal, environmental, and technical liabilities on behalf of the Bidding Consortium.
11. Change in the members of the Bidding Consortium shall not be permitted during the Bidding Process and throughout the Contract Period, except with the written permission from GMDC, such prior written approval of GMDC shall be issued at its sole discretion.
12. If the Selected Bidder is a Consortium, Consortium shall incorporate a JV company with each partner of the Consortium holding equity as per their proposal. The Lead Member shall hold at least 51% of the equity of the JV Company throughout the Contract Period. The Other Member shall hold at least 26% of the equity of the JV Company throughout Contract period. The JV Company/ Project Company shall not undertake any other business during the Contract Period except for the execution of the project or in connection therewith.
13. In case of Bidding Consortium, EMD can be submitted by any member of the Consortium.

Other conditions for Bidders

1. The Bidder/the Lead Member of Bidding Consortium should designate maximum two persons to represent the Bidder/Bidding Consortium in its dealings with the GMDC. The person(s) so designated shall be authorized to perform all tasks including, but not limited to providing information, responding to enquiries, entering into an agreement on behalf of the Bidder.
2. The Bidder should submit the power of authority (s), authorizing the signatory of their Proposal to bind the Bidder, along with submission of Proposal.
3. A Bidder can submit only one Proposal either as a single Bidder or as part of a Bidding Consortium.
4. Conditional bids will be treated as non-responsive.

Experience Criteria

1. For Package O1:

Remains unchanged, kept as per original document (Clause 1.1A, of Sec.III)

The Bidder should have minimum experience of 5 years out of last 10 years from the date of publication of this RFP in handling 50 TPH or higher capacity wet/dry Silica sand beneficiation plant or similar works

Similar works means the Bidders should have experience in:

- Operations & Maintenance of 50 TPH or higher capacity wet/dry Silica sand beneficiation plant

OR

- Installation and commissioning of 50 TPH or higher capacity Wet/Dry Silica sand beneficiation plant

Bidder shall submit Certificate with regard to his experience from relevant organization where the project is in operation and maintenance about satisfactory performance of that project. The bidder should clearly state its status and submit duly attested supporting documents as detailed in the Annexure.

In respect of the above eligibility criteria the bidders are required to furnish:

- Name of the equipment supplier for Silica sand beneficiation plant handled with address with purchase order.
- Quantity of Raw silica sand Handled.
- Whether Silica sand Beneficiation Plant is owned by bidder/Associate/Client with proof of same.
- Whether the scope of work for the reference plant included Planning, Design & Engineering, Procurement, Construction & Erection and Commissioning.
- Plant capacity (in TPH and tons per annum) with purchase order.
- Date of Commissioning of the plant.
- Technology used in the referred plant.

2. For Package O2:

Criteria are kept same as Package 1

Financial Criteria

1. For Package: 1

Remains unchanged, kept as per original document (Clause 1.2, of Sec.III)

- Entire CAPEX for project will be in bidder's scope only. GMDC shall not make any kind of investment during entire project and thereafter.
- Bidder/s must have average positive Net Worth for last financial year of 2019-20, 2020- 21 and 2021-22.

- Bidder/s must have a Minimum Average Turnover of Rs 5,00,00,000/- (Rupees Five Crores) for financial year of 2019-20, 2020- 21 and 2021-22.
- A certificate from Chartered Accountant regarding financial capacity shall be submitted as per format provided in FORM-PC of the RFP Document.

2. For Package: 2

Criteria are kept same as Package 1

Disqualification:

Even if a bidder meets the eligibility or qualification criteria, it shall be subject to disqualification if it or any of the constituent partners is found to have:

1. Made misleading or false representations in the forms, statements, affidavits and attachments submitted in proof of the qualification requirements; and/or;
2. Records of poor performance during the last five years, as on the date of application, such as abandoning the work, rescission of the contract for reasons which are attributable to non-performance of the contractor, inordinate delays in completion, consistent history of litigation resulting in awards against the contractor or any of the constituents, or financial failure due to bankruptcy, and so on. The rescission of a contract of venture JV on account of reasons other than non-performance, such as the most experienced partner (lead partner) of JV pulling out. The bidder should submit the declaration regarding the same as per Form-PG.