OWNER:

THE TATA POWER COMPANY LIMITED

PROJECT MANAGER:

THE TATA POWER COMPANY LIMITED

PROJECT:

APPOINTMENT OF NOX EMISSION ABATEMENT SYSTEM AT TATA POWER THERMAL POWER PLANTS

ENQUIRY REFERENCE NO.: CC/RS/FY19-007/ NOX
EXPRESSION OF INTEREST (EOI)

NOx EMISSION ABATEMENT SYSTEM PACKAGES FOR VARIOUS TATA POWER UNITS

Enquiry reference no.: CC/RS/FY19-007/ NOX

Name of Package: NOx Abatement System Packages at TATA Power Thermal Power Plants

Type of Bidding: E-tendering / Two Part

| Contact Details: Ravi Shingare  
| Lead Engineer - Contracts  
| The Tata Power Company Limited, Technopolis Knowledge Park,  
| CENTEC, Mahakali Caves Road, Chakala, Andheri (E), Mumbai 400 093, Maharashtra, India  
| Tel: 022-67173239 (L), extn 3239 Mobile: 9029004168  
| Email: ravi.shingare@tatapower.com  
| Website: [https://www.tatapower.com/tender/tenderlist.aspx](https://www.tatapower.com/tender/tenderlist.aspx) |

The Tata Power Company Limited (“Project Manager”) invites Expression of Interest (EOI) from interested parties for the Two-Part e-Tendering Process of following Relevant Package:

<table>
<thead>
<tr>
<th>Description</th>
<th>Bid Security</th>
<th>Tender Fee</th>
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<tr>
<td>Design, engineering, manufacturing, shop fabrication, assembly, shop testing, type testing at manufacturers’ works, inspection, packing, supply, loading, unloading, transportation, proper preservation at site, storage &amp; handling at site, erection/installation, construction, site testing and commissioning and performance testing of NOx Abatement Systems required at various units of following Thermal Power Plants:</td>
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<tr>
<td><strong>1. Coastal Gujarat Power Ltd. (CGPL), Mundra, Gujarat</strong></td>
<td>INR 20 million Or equivalent foreign currency</td>
<td>INR 5,000/- Or equivalent foreign currency</td>
</tr>
<tr>
<td><strong>2. Maithon Power Limited (MPL), Jharkhand</strong></td>
<td>INR 5 million Or equivalent foreign currency</td>
<td></td>
</tr>
<tr>
<td><strong>3. Jojobera Thermal Power Plant, Jharkhand</strong></td>
<td>INR 1 million Or equivalent foreign currency</td>
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</table>
INTRODUCTION:
The Tata Power Company Limited (TPC) is among the largest private sector Power Utility companies in India with presence in Generation, Transmission and Distribution of Power through conventional and renewable sources.

The Tata Power Company Ltd. wishes to implement in combustion control technology for reduction of NOx emission from the base line emission for CGPL /MPL /Jojobera Units. Only In the event, the specified NOx levels are not achievable with in combustion control technology alone, SNCR system along with in combustion control technology may be provided by bidders. The most optimum solution based on the NPV of Total Life Cycle Cost of Ownership will be selected for implementation. EOI is now invited for following Thermal Power Plants (interested may send their EOI for one or two or all 3 plants):

1. Coastal Gujarat Power Ltd. (CGPL), Mundra, Gujarat
2. Maithon Power Limited (MPL), Jharkhand
3. Jojobera Thermal Power Plant, Jharkhand

Tata Power has planned to initiate various activities towards faster implementation of the NOx Project. The engineering and procurement activities for this Project are going to be driven from Tata Power’s following Office:

Centre for Technology Excellence
The Tata Power Company Limited
4th Floor, Technopolis Knowledge Park,
Mahakali Caves Road,
Andheri (E), MUMBAI – 400 093
Maharashtra, INDIA

1. SCOPE OF WORK:
The scope of the Bidder shall comprise of design, engineering, manufacture, shop fabrication, assembly, shop testing, type testing at manufacturer’s works, inspection, packing, supply, loading, unloading, transportation, proper preservation at site, storage & handling at site, site fabrication, erection/installation, construction, site testing and commissioning and performance testing of NOx abatement plant for 100% of the flue gas flow rate of MPL/CGPL and Jojobera Plant, including all systems/sub-systems for NOX abatement System (hereinafter referred as the “Relevant Package”), to be implemented at Tata Power Company Limited (hereinafter referred as the “Owner”). Detailed Technical Specifications, Scope of Work, Terms & Conditions are provided in the Bid Documents, which shall be made available to interested parties’ prima facie meeting the qualification criteria against submission of Tender Fee as prescribed above.
2. **TENDER FEE & TIMELINES:**

   a) Interested parties meeting the pre-qualification criteria specified elsewhere in this document can request for Bid Document and participate in the bidding process by submitting their Expression of Interest (EOI) and credentials along with the Tender Fee no later than 22nd November 2018. Request for Bid Document/EOI will be not be entertained beyond this deadline.

   b) Interested parties to submit Non-Refundable Tender Fee, as indicated in the table above, in the form of crossed demand draft/banker’s cheque/pay order in the name of "The Tata Power Company Limited" payable at par at all branches in Mumbai along with a covering letter duly stamped and signed by an authorized signatory clearly indicating the Tender Reference number, your EOI to participate in the tendering process and indicating name of authorized person, contact number / e-mail id (mandatory) on Bidder’s letterhead. It is mandatory to mention Tender Reference no. in the said letter.

   c) Detailed Bid Document (also referred as RFQ) shall be issued through Tata Power e-tender portal only to the parties whose EOI meeting above mentioned requirements are received by the deadline mentioned above.

3. **BID SECURITY:**

   Interested parties to note that Bidder is required to furnish a Bid Security along with their Bid, in the format prescribed in Bid Document in the form of Bank Guarantee for an amount as defined in the covering note for the respective Plant (total INR 26 million or equivalent freely traded foreign currency if bidding for all Plants) and Bids not accompanied by an acceptable Bid Security shall be rejected by the Owner as being non-responsive and returned to the bidder without being opened.

   Interested parties to note that Bid Security is not required with the Expression of Interest and it is required to be submitted with the Bid once RFQ is released to the interested parties submitting valid Expression of Interest.

4. **PRE-QUALIFICATION CRITERIA (SEPARATE CRITERIA FOR EACH PLANT):**

   Interested parties to note that Bidder shall be required to fulfill the following pre-qualification criteria (each Plant has specific criteria) and submit relevant supporting documents for the criteria of the respective Plants along with the Bid.

   ➢ **5x830 MW Coastal Gujarat Power Limited, Mundra**

   Qualifying Requirements for Bidders

   5.1 **Technical Criteria**

   The Bidder should meet the qualifying requirements mentioned under option-I to IV

   5.1.1 **Qualification Criteria for Low NOx Technology Provider (TP-LNx):**

   TP-LNx shall meet any one of the following requirements mentioned below:
a) **Technology Provider with Boiler Design & Manufacturing Experience:**

TP-LNx should have designed, engineered, manufactured / got manufactured, supplied, erected / got erected, commissioned at least two (2) Nos Boilers in which Low NOx Burner, SOFA etc. have been used to reduced NOx within India or abroad meeting following criteria:

i. Capacity of Boilers shall be minimum 1500 TPH & NOx emission from Boiler shall be < 450 mg/Nm$^3$ with 'In-Combustion Control Technology'.

ii. Both reference projects must be operational for two (2) years or more as on the date of Techno-Commercial Bid Submission.

b) **Technology Provider with Experience of LNB & SOFA Retrofit:**

TP-LNx should have designed, engineered, manufactured / got manufactured, supplied, erected / got erected, commissioned, Two (2) nos. De-NOx projects in existing Boilers using 'In-Combustion Control Technology’ comprising of Low NOx Burners, SOFA etc. within India or abroad meeting following criteria:

i. Capacity of at least one Boilers shall be minimum 1500 TPH & NOx emission from Boiler shall be <450 mg/Nm3 after implementation of ‘In-Combustion Control Technology’.

ii. Both reference projects must be operational for two (2) years or more as on the date of Techno-Commercial Bid Submission.

### 5.1.2 Qualification Criteria for SNCR Technology Provider (TP-SNCR):

SNCR Technology Provider SNCR Technology Provider must be a company having experience of in-house design, engineering, manufacturing / supply, erection / supervision of erection and commissioning / supervision of commissioning for at least two (2) no. NOx abatement projects using ‘SNCR Technology’ for coal based thermal power plant in India or abroad meeting following criteria:

a) TP-SNCR must have designed, engineered, supplied, constructed and commissioned at least (2) no. SNCR technology-based projects for coal fired Boilers Capacity of at least one Boiler shall be 1000 TPH and another Boiler shall be 600 TPH

b) Both reference projects must be operational for 2 years or more as on the date of Techno-Commercial Bid Submission

### 5.1.3 Qualification Criteria for EPC Contractor

EPC Contractor must be a company which meets following requirements:
a) Company should have executed, in the last 10 years, at least 2 nos. projects each worth INR 1000 million (or equivalent foreign currency value) on EPC basis (with or without civil works) in the area of power, oil & gas, petro-chemical, fertilizer industry. Company shall have establishment in India with experience of executing at least 1 no. of project worth INR 250 million in India in last 3 years.

b) Executed projects scope shall include design, engineering, manufacturing, fabrication, supply, erection, commissioning etc. Bidder to provide the information about the capabilities of design/engineering, project execution (project engineering and project management) etc. proposed for executing the given project.

5.2 Options for Bidders Qualification:

5.2.1 Option 1: Technology provider (TP) bidding directly on standalone basis:

Qualifying Bidder under this option shall meet the following requirements:

a) Bidder shall meet the qualifying requirement of TP-LNx & TP-SNCR company as specified under clause 5.1.1, 5.1.2. OR Bidder shall meet requirement of 5.1.1 and shall sub-contract SNCR System to a Vendor meeting qualification requirement mentioned under clause No. 5.1.2.

b) Average annual turn-over of last three (3) years shall be at least INR 10 billion or equivalent foreign currency.

5.2.2 Option 2: Indian Subsidiary of TP as lead bidder:

Qualifying bidder under this option shall meet the following requirements:

a) Bidder shall be an Indian Subsidiary Company of a TP meeting requirements as specified under clause 5.1.1, registered in India under the Companies Act of India, as on Techno-Commercial Bid Submission Date, for NOx abatement projects. The subsidiary company shall share responsibility matrix, division of works etc. between Parent company (TP) and Subsidiary.

b) Bidder should also have a valid ongoing collaboration and technology transfer / license agreement with TP, valid minimum up to the end of the Latent Defect Liability Period of the contract. In such a case bidder can either source the equipment from such manufacturer or manufacture/get manufactured the equipment as per the design and manufacturing drawings of such TP.

c) In case of award of a project, the Parent company (TP) will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5 % of the total contract price of
the NOx abatement system Package. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by Parent company (TP).

d) Both parent company and subsidiary company shall provide a Deed of Joint Undertaking (DJU) and will be jointly and severally responsible for the execution of contract.

e) Parent company shall have average annual turn-over in last 3 years of at least INR 10, billion or equivalent foreign currency

f) Bidder / Indian subsidiary shall either meet qualification requirement for TP-SNCR as specified under clause no. 5.1.2 or sub contract SNCR System to a Bidder meeting qualification requirement mentioned under 5.1.2.

5.2.3 Option 3: Indian Joint Venture (JV) of Technology Provider is a lead bidder:

Qualifying bidder under this option shall meet the following requirements-

a) Bidder shall be a Joint Venture (JV) Company incorporated in India under the Companies Act of India, as on Techno-Commercial Bid Submission Date, promoted by (i) an Indian Company registered in India under the Companies Act of India and (ii) TP company/ies meeting requirements as defined under clause 5.1.1 specified above, created for the purpose of manufacturing/supplying NOx Abatement System in India. Lead Promotor of the JV has to be either TP (meeting TP qualification criteria) or an EPC company (meeting EPC qualification criteria as stipulated in clause no. 5.1.2).

b) Average annual turnover in last 3 years of JV promoters proportionate to their respective shareholding in JV taken together shall be not less than 10 billion or equivalent foreign currency.

c) Lead Promoter shall have at least 51% stake in JV and the other major partner (EPC company/TPs) shall have at least 26% stake in JV.

d) The structure of JV shall be maintained for a lock-in period which should not be earlier than the end of Latent Defects Liability Period for the Relevant Package. Declaration shall be submitted by authorised signatories of major JV partners (TP and EPC) not to alter JV structure/ dissolve JV, till expiry of latent defects liability period.

e) Bidder should also have a valid ongoing collaboration and technology transfer agreement with TP meeting requirements of clause 5.1.1, valid minimum up to the end of the Latent Defect Liability Period of the contract. In such a case Bidder can either source the equipment & systems from such
manufacturer or manufacture/get manufactured the as per the design and manufacturing drawings of such TP.

f) In case of any joint venture, the bidding partners shall share the nature of their agreements & its validity, responsibility matrix, division of works, Deed of joint undertaking (DJU) etc. The bidding partners in case of JV shall be jointly and severally responsible for the successful execution of the Contract in case they are the successful bidder and shall accordingly sign an umbrella contract to that effect.

g) Bidder shall furnish a Deed of Joint Undertaking (DJU) executed by it, the promoter(s) having 26% or higher equity participation in the JV Company (as the case may be) and the TP, in which the executants of DJU shall be jointly and severally liable to the Owner for successful performance of the NOx Abatement including meeting the technical guarantees.

h) In case of award of a project, the TP will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx Abatement Package. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by TP.

i) Bidder / JV shall either meet qualification requirement for TP-SNCR as specified under clause no. 5.1.2 or sub contract SNCR System to a Bidder meeting qualification requirement mentioned under 5.1.2.

5.2.4 Option 4: EPC Company as lead Bidder with Technology License Agreement with TP-LNx

Qualifying bidder under this option shall meet the following requirements:

a) Bidder shall meet the qualification requirements of EPC company as stipulated in Clause 5.1.3 above.

b) The average annual turn-over of EPC company for last 3 yrs shall be at least INR 10 billion or equivalent foreign currency.

c) EPC Company shall have Technology License Agreement (TLA) with qualified TP-LNx meeting the qualification requirements as indicated under clause 5.1.1 and such TLAs shall be valid till expiry of latent defect liability period. Bidder shall have a technology license agreement as on Techno-Commercial Bid Submission Date between the Bidder & TP which shall necessarily cover transfer/licensing of technological knowhow for NOx Abatement System, in the form of complete
transfer of design dossier, design software, drawings and documentation, quality system manuals and imparting relevant personnel training to the Bidder.

d) TP (providing technology license) will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx abatement System. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by TP.

e) EPC company and TP company (providing technology license) shall share the nature of their agreements & its validity, responsibility matrix, division of works, Deed of joint undertaking (DJU) etc. Bidder shall furnish a Deed of Joint Undertaking (DJU) executed by it and the TP, in which the executants of DJU shall be jointly and severally liable to the Owner for successful performance of the NOx abatement System including meeting the technical guarantees. The DJU shall be submitted along with techno-commercial bid, failing which the Bidder shall be disqualified and its bid shall be rejected.

f) EPC company shall sub contract SNCR System meeting qualification requirement mentioned under Sl. No. 5.1.2

➢ 2x525 MW Maithon Power Limited

6.1 Technical Criteria

The Bidder should meet the qualifying requirements mentioned under option-I to IV.

6.1.1 Qualification Criteria for Low NOx Technology Provider (TP-LNx):

TP-LNx shall meet any one of the following requirements mentioned below:

c) Technology Provider with Boiler Design & Manufacturing Experience:

TP-LNx should have designed, engineered, manufactured / got manufactured, supplied, erected / got erected, commissioned at least two (2) Nos Boilers in which Low NOx Burner, SOFA etc. have been used to reduced NOx within India or abroad meeting following criteria:

i. Capacity of Boilers shall be minimum 1500 TPH & NOx emission from Boiler shall be < 450 mg/Nm³ with 'In-Combustion Control Technology'.

ii. Both reference projects must be operational for two (2) years or more as on the date of Techno-Commercial Bid Submission.
d) **Technology Provider with Experience of LNB & SOFA Retrofit:**

TP-LNx should have designed, engineered, manufactured / got manufactured, supplied, erected / got erected, commissioned, Two, (2) nos. De-NOx projects in existing Boilers using 'In-Combustion Control Technology' comprising of Low NOx Burners, SOFA etc. within India or abroad meeting following criteria:

i. Capacity of at least one Boilers shall be minimum 1500 TPH & NOx emission from Boiler shall be <450 mg/Nm3 after implementation of ‘In-Combustion Control Technology’.

ii. Both reference projects must be operational for two (2) years or more as on the date of Techno-Commercial Bid Submission.

6.1.2 **Qualification Criteria for SNCR Technology Provider (TP-SNCR):**

SNCR Technology Provider SNCR Technology Provider must be a company having experience of in-house design, engineering, manufacturing / supply, erection / supervision of erection and commissioning / supervision of commissioning for at least two (2) no. NOx abatement projects using ‘SNCR Technology’ for coal based thermal power plant in India or abroad meeting following criteria:

c) TP-SNCR must have designed, engineered, supplied, constructed and commissioned at least (2) no. SNCR technology-based projects for coal fired Boilers Capacity of at least one Boiler shall be 1000 TPH and another Boiler shall be 600 TPH

d) Both reference projects must be operational for 2 years or more as on the date of Techno-Commercial Bid Submission

6.1.3 **Qualification Criteria for EPC Contractor**

EPC Contractor must be a company which meets following requirements:

c) Company should have executed, in the last 10 years, at least 2 nos. projects each worth INR 200 million (or equivalent foreign currency value) on EPC basis (with or without civil works) in the area of power, oil & gas, petro-chemical, fertilizer industry. Company shall have establishment in India with experience of executing at least 1 no. of project worth INR 100 million in India in last 3 years.

d) Executed projects scope shall include design, engineering, manufacturing, fabrication, supply, erection, commissioning etc. Bidder to provide the information about the capabilities of design/engineering, project execution (project engineering and project management) etc. proposed for executing the given project.
6.2 Options for Bidders Qualification:

6.2.1 Option 1: Technology provider (TP) bidding directly on standalone basis:

Qualifying Bidder under this option shall meet the following requirements:

c) Bidder shall meet the qualifying requirement of TP-LNx & TP-SNCR company as specified under clause 6.1.1, 6.1.2. OR Bidder shall meet requirement of 6.1.1 and shall sub-contract SNCR System to a Vendor meeting qualification requirement mentioned under clause No. 6.1.2.

d) Average annual turn-over of last three (3) years shall be at least INR 2.5 billion or equivalent foreign currency.

6.2.2 Option 2: Indian Subsidiary of TP as lead bidder:

Qualifying bidder under this option shall meet the following requirements:

g) Bidder shall be an Indian Subsidiary Company of a TP meeting requirements as specified under clause 6.1.1, registered in India under the Companies Act of India, as on Techno-Commercial Bid Submission Date, for NOx abatement projects. The subsidiary company shall share responsibility matrix, division of works etc. between Parent company (TP) and Subsidiary.

h) Bidder should also have a valid ongoing collaboration and technology transfer / license agreement with TP, valid minimum up to the end of the Latent Defect Liability Period of the contract. In such a case bidder can either source the equipment from such manufacturer or manufacture/get manufactured the equipment as per the design and manufacturing drawings of such TP.

i) In case of award of a project, the Parent company (TP) will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5 % of the total contract price of the NOx abatement system Package. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by Parent company (TP).

j) Both parent company and subsidiary company shall provide a Deed of Joint Undertaking (DJU) and will be jointly and severally responsible for the execution of contract.

k) Parent company shall have average annual turn-over in last 3 years of at least INR 2.5 billion or equivalent foreign currency

l) Bidder / Indian subsidiary shall either meet qualification requirement for TP-SNCR as specified under clause no. 6.1.2 or sub-contract SNCR System to a Bidder meeting qualification requirement mentioned under 6.1.2.
6.2.3 **Option 3: Indian Joint Venture (JV) of Technology Provider is a lead bidder:**

Qualifying bidder under this option shall meet the following requirements:

j) Bidder shall be a Joint Venture (JV) Company incorporated in India under the Companies Act of India, as on Techno-Commercial Bid Submission Date, promoted by (i) an Indian Company registered in India under the Companies Act of India and (ii) TP company/ies meeting requirements as defined under clause 6.1.1 specified above, created for the purpose of manufacturing/supplying NOx Abatement System in India. Lead Promotor of the JV has to be either TP (meeting TP qualification criteria) or an EPC company (meeting EPC qualification criteria as stipulated in clause no. 6.1.2).

k) Average annual turnover in last 3 years of JV promoters proportionate to their respective shareholding in JV taken together shall be not less than INR 2.5 billion or equivalent foreign currency.

l) Lead Promoter shall have at least 51% stake in JV and the other major partner (EPC company/TPs) shall have at least 26% stake in JV.

m) The structure of JV shall be maintained for a lock-in period which should not be earlier than the end of Latent Defects Liability Period for the Relevant Package. Declaration shall be submitted by authorized signatories of major JV partners (TP and EPC) not to alter JV structure/ dissolve JV, till expiry of latent defects liability period.

n) Bidder should also have a valid ongoing collaboration and technology transfer agreement with TP meeting requirements of clause 6.1.1, valid minimum up to the end of the Latent Defect Liability Period of the contract. In such a case Bidder can either source the equipment & systems from such manufacturer or manufacture/get manufactured the as per the design and manufacturing drawings of such TP.

o) In case of any joint venture, the bidding partners shall share the nature of their agreements & its validity, responsibility matrix, division of works, Deed of joint undertaking (DJU) etc. The bidding partners in case of JV shall be jointly and severally responsible for the successful execution of the Contract in case they are the successful bidder and shall accordingly sign an umbrella contract to that effect.

p) Bidder shall furnish a Deed of Joint Undertaking (DJU) executed by it, the promoter(s) having 26% or higher equity participation in the JV Company (as the case may be) and the TP, in which the
executants of DJU shall be jointly and severally liable to the Owner for successful performance of the NOx Abatement including meeting the technical guarantees.

q) In case of award of a project, the TP will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx Abatement Package. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by TP.

r) Bidder / JV shall either meet qualification requirement for TP-SNCR as specified under clause no. 6.1.2 or sub contract SNCR System to a Bidder meeting qualification requirement mentioned under 6.1.2.

6.2.4 Option 4: EPC Company as lead Bidder with Technology License Agreement with TP-LNx

Qualifying bidder under this option shall meet the following requirements:

g) Bidder shall meet the qualification requirements of EPC company as stipulated in Clause 6.1.3 above.

h) The average annual turn-over of EPC company for last 3 years shall be at least INR 2.5 billion or equivalent foreign currency.

i) EPC Company shall have Technology License Agreement (TLA) with qualified TP-LNx meeting the qualification requirements as indicated under clause 6.1.1 and such TLAs shall be valid till expiry of latent defect liability period. Bidder shall have a technology license agreement as on Techno-Commercial Bid Submission Date between the Bidder & TP which shall necessarily cover transfer/licensing of technological knowhow for NOx Abatement System, in the form of complete transfer of design dossier, design software, drawings and documentation, quality system manuals and imparting relevant personnel training to the Bidder.

j) TP (providing technology license) will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx abatement System. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by TP.

k) EPC company and TP company (providing technology license) shall share the nature of their agreements & its validity, responsibility matrix, division of works, Deed of joint undertaking (DJU) etc. Bidder shall furnish a Deed of Joint Undertaking (DJU) executed by it and the TP, in which the executants of DJU shall be jointly and severally liable to the Owner for successful performance of the NOx abatement System including meeting the technical guarantees. The DJU shall be submitted
along with techno-commercial bid, failing which the Bidder shall be disqualified and its bid shall be rejected.

EPC company shall sub contract SNCR System meeting qualification requirement mentioned under Sl. No. 6.1.2

➢ 2 x 120 MW Jojobera Unit 4 & 5

7.1 Technical Criteria

The Bidder should meet the qualifying requirements mentioned under option-I to IV.

7.1.1 Qualification Criteria for Low NOx Technology Provider (TP-LNx):

TP-LNx shall meet any one of the following requirements mentioned below:

e) Technology Provider with Boiler Design & Manufacturing Experience:

TP-LNx should have designed, engineered, manufactured / got manufactured, supplied, erected / got erected, commissioned at least two (2) Nos Boilers in which Low NOx Burner, SOFA etc. have been used to reduced NOx within India or abroad meeting following criteria:

i. Capacity of Boilers shall be minimum 390 TPH & NOx emission from Boiler shall be < 450 mg/Nm$^3$ with 'In-Combustion Control Technology'.

ii. Both reference projects must be operational for two (2) years or more as on the date of Techno-Commercial Bid Submission.

f) Technology Provider with Experience of LNB & SOFA Retrofit:

TP-LNx should have designed, engineered, manufactured / got manufactured, supplied, erected / got erected, commissioned, Two, (2) nos. De-NOx projects in existing Boilers using 'In-Combustion Control Technology' comprising of Low NOx Burners, SOFA etc. within India or abroad meeting following criteria:

i. Capacity of Boilers shall be minimum 390 TPH & NOx emission from Boiler shall be <450 mg/Nm3 after implementation of ‘In-Combustion Control Technology’.

ii. Both reference projects must be operational for two (2) years or more as on the date of Techno-Commercial Bid Submission.
7.1.2 Qualification Criteria for SNCR Technology Provider (TP-SNCR):

TP-SNCR must be a company having experience of in-house design, engineering, manufacturing / supply, erection / supervision of erection and commissioning / supervision of commissioning for at least two (2) no. NOx abatement projects using ‘SNCR Technology’ for coal based thermal power plant in India or abroad meeting following criteria:

e) TP-SNCR must have designed, engineered, supplied, constructed and commissioned at least (2) no. SNCR technology-based projects for coal fired Boilers having Capacity at least 390 TPH.

f) Both reference projects must be operational for 2 years or more as on the date of Techno-Commercial Bid Submission

7.1.3 Qualification Criteria for EPC Contractor

EPC Contractor must be a company which meets following requirements:

e) Company should have executed, in the last 10 years, at least 2 nos. projects each worth INR 100 million (or equivalent foreign currency value) on EPC basis (with or without civil works) in the area of power, oil & gas, petro-chemical, fertilizer industry. Company shall have establishment in India with experience of executing at least 1 no. of project worth INR 50 million in India in last 3 years.

f) Executed projects scope shall include design, engineering, manufacturing, fabrication, supply, erection, commissioning etc. Bidder to provide the information about the capabilities of design/engineering, project execution (project engineering and project management) etc. proposed for executing the given project.

7.2 Options for Bidders Qualification:

7.2.1 Option 1: Technology provider (TP) bidding directly on standalone basis:

Qualifying Bidder under this option shall meet the following requirements:

e) Bidder shall meet the qualifying requirement of TP-LNx & TP-SNCR company as specified under clause 7.1.1, 7.1.2. OR Bidder shall meet requirement of 7.1.1 and shall sub-contract SNCR System to a Vendor meeting qualification requirement mentioned under clause No. 7.1.2.

f) Average annual turn-over of last three (3) years shall be at least INR 750 million or equivalent foreign currency.
7.2.2 Option 2: Indian Subsidiary of TP as lead bidder:
Qualifying bidder under this option shall meet the following requirements-

m) Bidder shall be an Indian Subsidiary Company of a TP meeting requirements as specified under clause 7.1.1, registered in India under the Companies Act of India, as on Techno-Commercial Bid Submission Date, for NOx abatement projects. The subsidiary company shall share responsibility matrix, division of works etc. between Parent company (TP) and Subsidiary.

n) Bidder should also have a valid ongoing collaboration and technology transfer / license agreement with TP, valid minimum up to the end of the Latent Defect Liability Period of the contract. In such a case bidder can either source the equipment from such manufacturer or manufacture/get manufactured the equipment as per the design and manufacturing drawings of such TP.

o) In case of award of a project, the Parent company (TP) will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx abatement system Package. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by Parent company (TP).

p) Both parent company and subsidiary company shall provide a Deed of Joint Undertaking (DJU) and will be jointly and severally responsible for the execution of contract.

q) Parent company shall have average annual turnover in last 3 years of at least INR 750 million or equivalent foreign currency

r) Bidder / Indian subsidiary shall either meet qualification requirement for TP-SNCR as specified under clause no. 7.1.2 or sub contract SNCR System to a Bidder meeting qualification requirement mentioned under 7.1.2.

7.2.3 Option 3: Indian Joint Venture (JV) of Technology Provider is a lead bidder:

Qualifying bidder under this option shall meet the following requirements-

s) Bidder shall be a Joint Venture (JV) Company incorporated in India under the Companies Act of India, as on Techno-Commercial Bid Submission Date, promoted by (i) an Indian Company registered in India under the Companies Act of India and (ii) TP company/ies meeting requirements as defined under clause 7.1.1 specified above, created for the purpose of manufacturing/supplying NOx Abatement System in India. Lead Promotor of the JV has to be either TP (meeting TP
qualification criteria) or an EPC company (meeting EPC qualification criteria as stipulated in clause no. 7.1.2).

t) Average annual turnover in last 3 years of JV promoters proportionate to their respective shareholding in JV taken together shall be not less than 750 million or equivalent foreign currency.

u) Lead Promoter shall have at least 51% stake in JV and the other major partner (EPC company/TPs) shall have at least 26% stake in JV.

v) The structure of JV shall be maintained for a lock-in period which should not be earlier than the end of Latent Defects Liability Period for the Relevant Package. Declaration shall be submitted by authorized signatories of major JV partners (TP and EPC) not to alter JV structure/ dissolve JV, till expiry of latent defects liability period.

w) Bidder should also have a valid ongoing collaboration and technology transfer agreement with TP meeting requirements of clause 7.1.1, valid minimum up to the end of the Latent Defect Liability Period of the contract. In such a case Bidder can either source the equipment & systems from such manufacturer or manufacture/get manufactured the as per the design and manufacturing drawings of such TP.

x) In case of any joint venture, the bidding partners shall share the nature of their agreements & its validity, responsibility matrix, division of works, Deed of joint undertaking (DJU) etc. The bidding partners in case of JV shall be jointly and severally responsible for the successful execution of the Contract in case they are the successful bidder and shall accordingly sign an umbrella contract to that effect.

y) Bidder shall furnish a Deed of Joint Undertaking (DJU) executed by it, the promoter(s) having 26% or higher equity participation in the JV Company (as the case may be) and the TP, in which the executants of DJU shall be jointly and severally liable to the Owner for successful performance of the NOx Abatement including meeting the technical guarantees.

z) In case of award of a project, the TP will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx Abatement Package. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by TP.

aa) Bidder / JV shall either meet qualification requirement for TP-SNCR as specified under clause no. 7.1.2 or sub contract SNCR System to a Bidder meeting qualification requirement mentioned under 7.1.2.
7.2.4 Option 4: EPC Company as lead Bidder with Technology License Agreement with TP-LNx

Qualifying bidder under this option shall meet the following requirements:

l) Bidder shall meet the qualification requirements of EPC company as stipulated in Clause 7.1.3 above.

m) The average annual turn-over of EPC company for last 3 years shall be at least INR 750 million or equivalent foreign currency.

n) EPC Company shall have Technology License Agreement (TLA) with qualified TP-LNx meeting the qualification requirements as indicated under clause 7.1.1 and such TLAs shall be valid till expiry of latent defect liability period. Bidder shall have a technology license agreement as on Techno-Commercial Bid Submission Date between the Bidder & TP which shall necessarily cover transfer/licensing of technological knowhow for NOx Abatement System, in the form of complete transfer of design dossier, design software, drawings and documentation, quality system manuals and imparting relevant personnel training to the Bidder.

o) TP (providing technology license) will be required to furnish an on demand, unconditional and irrevocable bank guarantee for an amount of 5% of the total contract price of the NOx abatement System. An aggregate contract performance security of not less than 10% of the total contract price to be furnished by the Bidder including the value of bank guarantee provided by TP.

p) EPC company and TP company (providing technology license) shall share the nature of their agreements & its validity, responsibility matrix, division of works, Deed of joint undertaking (DJU) etc. Bidder shall furnish a Deed of Joint Undertaking (DJU) executed by it and the TP, in which the executants of DJU shall be jointly and severally liable to the Owner for successful performance of the NOx abatement System including meeting the technical guarantees. The DJU shall be submitted along with techno-commercial bid, failing which the Bidder shall be disqualified and its bid shall be rejected.

q) EPC company shall sub contract SNCR System meeting qualification requirement mentioned under Sl. No. 7.1.2