

IXTH ROUND OF BIDDING FOR CGD NETWORKS

Frequently Asked Questions



Petroleum & Natural Gas
Regulatory Board, India

April-July 2018

BID PROCESS

1. What is the legal form/ standing of PNGRB?

Petroleum and Natural Gas Regulatory Board (PNGRB) was established by an act of Parliament in 2006.

2. Is this an open tender or issued to select few?

This is an open tender, both Indian and overseas investors are welcome.

3. Who can apply?

Entities meeting the minimum eligibility criteria as specified in clauses (a) to (i) of sub-regulation 6 of regulation 5 of the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008 and any amendments thereto may apply.

Reference clause no.: Page 12, clause 1.4.2

4. Where is the Application-cum-Bid document available?

The Application-cum-Bid document is available at <https://www.tcil-india-electronictender.com/>.

Reference clause no.: Page 2, clause 4

5. Can the Application-cum-Bid document purchased by one entity be used by another entity?

The Application-cum-Bid document is not transferable in any other name at any stage. The Application-cum-Bid document purchased by an entity can be used by the consortium as long as the entity that purchased the bid document remains the lead equity partner.

Reference clause no.: Page 3, clause 7

6. What is the process for applying?

- i. Procure a Digital Signing Certificate (DSC)
- ii. Register on Electronic Tendering System[®] (ETS)
- iii. Create Marketing Authorities (MAs), Users and assign roles on ETS
- iv. View Notice Inviting Tender (NIT) on ETS
- v. For this tender -- Assign Tender Search Code (TSC) to an MA
- vi. Download Official Copy of Tender Documents from ETS
- vii. Clarification to Tender Documents on ETS, if required
- viii. Bid-Submission on ETS
- ix. Submission of pass phrase for bid opening

Reference clause no.: Page 20, clause 3.2

7. Can we bid for more than one GA?

Yes, an entity can bid for more than one GA. In case a bidder entity bids for more than one GA, then the minimum net-worth requirement shall be calculated by considering 100% of minimum net-worth required for the bid GA having the highest population, plus 20% of minimum net-worth required for each of the other GAs.

Reference clause no.: Page 14, clause 1.7

8. What is the application-cum-bid fee?

There is no separate fee of bid document. However, INR 5,000/- needs to be paid as e-participation charges to TCIL through RTGS/ NEFT/ Payment Gateway.

Reference: Page 2

9. Do we need to submit any hard copies along with online submission?

The bidder is required to submit the Bid Bond in form of Draft/ Bank Guarantee and application fee in form Draft of requisite value to the under mentioned address before the start of Public Online Tender Opening Event in a sealed envelope.

Secretary, Petroleum and Natural Gas Regulatory Board, World Trade Centre, First Floor, Babar Road, New Delhi-110001

Reference clause no.: Page 22, clause 3.5

10. Do we need to submit online only or can we submit just the hard copy?

The bidder shall submit the application-cum-bid along with relevant documents other than original bid bond and application fee through e-tender submission only at <https://www.tcil-india-electronictender.com>.

Reference clause no.: Page 19, clause 2.8

11. Will there be any training for bidder's?

One day optional training (1000 to 1700 hours) would be provided by TCIL on the online submission process.

Reference clause no.: Page 36, clause 3.11

12. Are there any special requirements an international entity needs to fulfil for submitting application-cum-bid?

There is no special requirement for an international entity needs to fulfil for submitting application-cum-bid.

13. What is the amount of bid bond and how can it be submitted?

Depending upon the value mentioned in "invitation for Application-cum-Bid", bid bond needs to be submitted by RTGS or NEFT or Demand Draft or Pay Order or Bank Guarantee, favouring Petroleum and Natural Gas Regulatory Board and payable at New Delhi.

Reference clause no.: Page 13, clause 1.4.6

14. Do the signatures and stamp have to be put in original with ink?

The application-cum-bid may be digitally signed. The bidder shall submit the application-cum-bid forwarded by specified format in their letter head duly signed by the bidder or authorized signatory along with official seal.

Reference: Page 34, Annexure 2

15. We are facing issues in uploading the application-cum-bid. Whom should we contact?

In case of any issues in uploading the application-cum-bid, the TCIL/ ETS helpdesk may be reached at:

Telephone/ Mobile	Customer Support: +91-11-26241790 (Multiple Lines) Emergency Mobile Number: +91 9958728700- Arvind Kumar
E-mail ID	ets_support@tcil-india.com

Reference clause no.: Page 21, clause 3.4

16. Till what date can we raise our queries on the application-cum-bid document or the project?

The queries on the application-cum-bid document or the project can be raised till 12 June 2018.

Reference clause no.: Page 17, clause 2.2.1

17. What is the process for raising queries on the application-cum-bid document or the project?

Entity requiring any clarification shall need to write by email, letter or fax to Secretary, PNGRB. PNGRB will respond in writing to such queries and host the same on its website.

Reference clause no.: Page 17, clause 2.2.1

18. By when will PNGRB respond to all the queries on application-cum-bid document or the project?

The PNGRB will respond in writing to such queries, which are received by 12 June, 2018.

Reference clause no.: 2.2.1, Page 17

19. What is the deadline for application-cum-bid submission?

The deadline for application-cum-bid submission is 1730 hours on 10 July 2018. Bidders are advised to submit bids in time to avoid last minute rush.

Reference clause no.: Page 57, Part B Annexure 1

20. Can I withdraw my submitted application-cum-bid before the submission deadline?

Legally, any offer can be withdrawn before it is accepted. A proposal may be revoked at any time before the last date of submission of the bid i.e. 10 July, 2018.

Reference: Section 5, Indian Contract Act, 1872

21. Can I withdraw my submitted application-cum-bid after the submission deadline?

No. It will attract forfeiture of bid bond and other consequences.

Reference clause no: Page 24, clause 3.7

22. Where are all the roadshows/ Pre-Bid conference being held?

Roadshow details will be made available on the PNGRB website as and when finalised. Pre-bid conference will be held on 14 May, 2018.

Reference clause no.: Page 17, clause 2.2.2

23. Can I meet an official of PNGRB to discuss the application-cum-bid document or the project?

For any clarifications required, please write to ninthround.cgdbid@pngrb.gov.in. The officials could be met at Pre-Bid conference on 14 May 2018. However, bidders are welcome to meet PNGRB officials at any time.

Reference clause no.: Page 4, clause 12

24. Can I form a consortium/ joint venture for this application-cum-bid?

A consortium can submit application-cum-bid and in that case, MOU/ JV agreement entered into by the parties of the consortium clearly stating the lead partner as well as Authorised signatory to the Application Cum Bid shall need to be furnished. Each qualifying criteria must be met by at least one of the partner clearly indicating so in the application-cum-bid except for the net worth, which shall be dealt as per Schedule- K of PNGRB (Laying, Building, Operating or Expanding City or Local Natural Gas Distribution Networks) Regulations, 2008.

Reference clause no.: Page 13, clause 1.5

25. How does the application-cum-bid evaluation and selection process work?

PNGRB shall open the Part I - Technical Bids in public in presence of bidders' representative who may choose to attend the opening. After opening of Part I - Technical Bid, PNGRB will examine the Application-cum-Bids to determine whether these are complete and valid in all respects as required and in conformity with 'Application-cum-Bid document'. On completion of evaluation of Part-I: Technical Bid, PNGRB shall invite representatives of bidders who have been found to meet the minimum eligibility criteria and have submitted complete and valid Application-cum-bids in all respects to be declared as technically qualified to attend financial bid opening for which a minimum 24 hours' notice shall be given. .

All financial bids shall be tabulated and compared as per the bidding criteria specified at regulation 7 of the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008. The Bidder with the highest composite score shall be declared as successful in the bid.

Reference clause no.: Page 27-29, clauses 4.1, 4.2 and 4.3

26. What if there is a tie in the evaluated composite score of two or more bidders?

In case of tie in the evaluated composite score of two or more bidders, the successful bidder shall be decided based on the highness of number of PNG connections. In case there is tie on number of PNG connections also, highness of inch-km steel pipeline shall be considered and thereafter in case of tie in inch-km as well, highness of numbers of CNG Stations shall be considered.

Reference clause no.: Page 28, clause 4.2.2

27. Is there a Performance Bond requirement? If yes, please provide details.

Grant of authorization shall be issued to the selected entity after it furnishes a performance bond as specified in Regulation 9 of the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, within 15 days of such advice by PNGRB. The Performance Bank Guarantee (PBG) amount shall be reduced to the value of 40% of the initial PBG furnished by

the successful bidder after 100% achievement of the work programme or on expiry of exclusivity period

Reference clause no.: Page 29, clause 4.5.1

28. Can the selected bidder entity alter its constitution after award of work?

Any restructuring/ reconstitution of the authorized entity within the first five years of grant of authorization shall be permitted only if the initial JV partners/ entity retain more than 50% equity stake post reconstitution on a cumulative basis. In all cases of such reconstitution, the lead partner of the original consortium/ JV shall compulsorily hold higher or equal stake than any other partner and shall be declared upfront.

Reference clause no.: Page 31, clause 8

TERMS OF REFERENCE

1. What tariff will be applicable?

The tariff applicability will be as per Section 21 (2) of the PNGRB Act, 2006 and the Judgment of Hon'ble Supreme Court of India in the SLP No. 22273 of 2012 i.e. Civil Appeal No. 4910 of 2015.

Reference clause no.: Page 2, clause 2

2. How will the concerned State Government be facilitating project implementation?

The state governments would provide details (contact and email) of dedicated officer who would act as the nodal person for supporting project implementation. For faster processing, the government would establish clear SLAs, besides holding periodic (monthly and quarterly) review meetings to monitor progress.

3. How will PNGRB be facilitating project implementation?

The project implementation would be primary responsibility of the entity. PNGRB will act as a facilitator by taking up issues with concerned authorities, wherever required.

4. What is the status of projects awarded under VIIIth round of bidding for CGD Networks?

All GAs from the 8th round of bidding have been authorized.

5. By which date is the selected bidder expected to start the project?

The bidder is expected to start the project immediately on receipt of authorization from PNGRB, which is expected to be finalised by October, 2018.

6. Which are the various regulations related to CGD and where can they be accessed?

The notified regulations related to CGD are available at <http://www.pngrb.gov.in>.

7. Which Geographical Areas (GA) are covered under this application-cum-bid?

The Geographical Areas and Charge areas are shown in the map

Reference clause no: Page 10, clause 1.1 ; Annexure 1, page 33

8. What are the various No Objection Certificates (NOCs)/ permissions required for developing or operating CGD networks?

The list of No Objection Certificates (NOCs)/ permissions required for developing or operating CGD networks is available at <http://www.pngrb.gov.in/CGD-NOCs.html>.

Reference clause no.: Page 11, clause 1.1.3

9. Customers with what requirement can be served through these CGD networks?

Industrial/Commercial customers having requirement of natural gas up to 50,000 SCMD shall be served through CGD network once CGD entity has laid requisite infrastructure to supply natural gas.

Reference clause no.: Page 11, clause 1.3