Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

APPLICATION-CUM-BID DOCUMENT

FOR

GRANT OF AUTHORIZATION FOR LAYING, BUILDING, OPERATING OR EXPANDING CITY OR LOCAL NATURAL GAS DISTRIBUTION NETWORK IN THE GEOGRAPHICAL AREA OF ALLAHABAD IN THE STATE OF UTTAR PRADESH

PETROLEUM AND NATURAL GAS REGULATORY BOARD

1st Floor, World Trade Centre, Babar Road,

New Delhi – 110 001

INDIA

PETROLEUM AND NATURAL GAS REGULATORY BOARD

1st Floor, World Trade Centre,
Babar Road, New Delhi – 110 001

INVITATION FOR APPLICATION-CUM-BID
FOR
GRANT OF AUTHORIZATION FOR LAYING, BUILDING, OPERATING OR EXPANDING CITY OR LOCAL NATURAL GAS DISTRIBUTION NETWORK IN THE GEOGRAPHICAL AREA OF ALLAHABAD IN THE STATE OF UTTAR PRADESH

To,	
Bid No.	**PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD**
Price of Bid Document	Rs. 5,000.00 (Rupees Five Thousand only) in the form of a Demand Draft or Pay Order in favour of the Petroleum and Natural Gas Regulatory Board payable at New Delhi
Date of Issue	**25th February 2009**
Type of Bid	Two Stage and Public Opening
Last Date of Bid Issuance	**18th June 2009**
Application Fee (Non-refundable)	
Bid Closing Date & Time	**25th June 2009 at 11.00 AM**
Part I (Technical Bid) : Opening Date & Time	**25th June 2009 at 14.00 AM**
Part II (Financial Bid) : Opening Date & Time	Shall be intimated later
Venue of Bid Submission / Opening	PNGRB, 1st Floor, World Trade Centre, Babar Road, New Delhi – 110 001
Bid Bond	

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1. PETROLEUM AND NATURAL GAS REGULATORY BOARD invites sealed Application-cum-Bids from interested entities for the above mentioned purpose.
2. The 'Application-cum-Bid document' available on the web site of PNGRB is for reference only. The document purchased from PNGRB only shall be final and binding.
3. The above Bid Number must appear on all correspondences and documents. For preparation and submission of bids, kindly refer 'Application-cum-Bid document' and the regulations as notified by the Petroleum and Natural Gas Regulatory Board (PNGRB) in the Gazette of India which are also available on website of PNGRB http://www.pngrb.gov.in. The 'Application-cum-Bid document' is only to aid better understanding of the bidders of the relevant regulations.
4. The bidder should read the conditions of 'Application cum-Bid document' carefully and submit the same to PNGRB in Part I (Technical Bid) duly signed and stamped on each page by them in token of having read, understood and accepted the conditions.

5. Please note that this is a '**zero deviation'** Application-cum-Bid. Entities are advised to strictly conform to 'Application-cum-Bid document' and not to stipulate any deviation / condition in their Application-cum-Bid. Entities are requested to submit the documents / confirmations strictly as per the check list enclosed with the 'Application-cum-Bid document'.

6. The 'Application-cum-Bid document' is not transferable in any other name at any stage.

7. The date, time and place of the Part II (Financial Bid) opening shall be communicated to the bidders who qualify in Part I (Technical Bid).

8. Application-cum-Bid through Telex / Telegraphic / Telefax / e-mail will not be accepted. PNGRB takes no responsibility for delay, loss or non-receipt of Application-cum-Bid sent by post / courier.

9. Application-cum-Bid not received by the due date and time will be rejected and representatives of such entities shall not be allowed to attend bid opening.

10. The documents as mentioned in 'Index: Application-cum-Bid' hereto are attached.

11. The entity shall certify that

    (i) Its Application-cum-Bid is genuine and is not made in the interest of or on the behalf of any undisclosed person, association of persons, firm, company, or co-operative society, and is not submitted in conformity with and agreement of any undisclosed person, association of persons, firm, company, or co-operative society .

    (ii) It has not solicited or induced any undisclosed person, association of persons, firm, company, or co-operative society to refrain from submitting Application-cum-Bid.

12. PNGRB reserves the right to accept / reject any or all Application-cum-Bids without assigning any reason(s) whatsoever.

13. In case of bid submission day is declared holiday by Govt. of India, the next working day shall be treated as day for submission of Application-cum-Bids. Accordingly the Part I - Technical Bid opening date shall also be changed. There shall not be any change in the timings.

14. For any clarifications on this 'Application-cum-Bid document', please contact :

    Secretary,
    Petroleum and Natural Gas Regulatory Board,
    1st Floor, World Trade Centre,
    Babar Road,
    New Delhi – 110 001
    Phone No.:011-23457700

Please acknowledge receipt and submit Application-cum-Bid to the undersigned before the stipulated bid closing.

Thanking You

Designation
For & on behalf of
PETROLEUM AND NATURAL GAS REGULATORY BOARD

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INSTRUCTIONS TO BIDDERS

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1.0 INTRODUCTION

Petroleum and Natural Gas Regulatory Board (PNGRB) was established by an act of Parliament. The objective of PNGRB is to regulate the refining, processing, storage, transportation, distribution, marketing and sale of petroleum, petroleum products and natural gas excluding production of crude oil and natural gas so as to protect the interests of consumers and entities engaged in specified activities relating to petroleum, petroleum products and natural gas and to ensure uninterrupted and adequate supply of petroleum, petroleum products and natural gas in all parts of the country and to promote competitive markets and for matters connected therewith or incidental thereto.

The PNGRB has notified the following regulations in the Gazette of India and are available on website http://www.pngrb.gov.in :

1. GSR 196 (E) - Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008;
2. GSR 197 (E) - Petroleum and Natural Gas Regulatory Board (Determination of Tariff for City or Local Natural Gas Distribution Networks) Regulations, 2008;
3. GSR 198 (E) - Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008; and
4. Other relevant regulations, as shall be applicable and notified by PNGRB.

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1.1 GEOGRAPHICAL AREA TO BE AUTHORIZED

PNGRB has received Expression of Interest (EOI) from entity/entities for laying, building, operating or expanding City Gas Distribution (CGD) Network in the city / the local distribution area of **Allahabad in the state of Uttar Pradesh.**

After the completion of public consultation process, PNGRB has identified the geographical area to be authorized. Accordingly, the Application-cum-Bids are invited for authorization for development of CGD network for the geographical area consisting of city / the local distribution area of **Allahabad** and as depicted in map as Annexure - 1.

Charge areas are also depicted in the map. If the bidding entity is finally granted authorization, the entity shall be required to reach all charge areas as stipulated in the regulations.

It is the bidder's responsibility to obtain all information related to the present gas supply position and existing customers if any in the specified geographical area.

1.2 SCOPE OF WORK

The entities bidding for this work shall be required to lay, build, operate or expand the CGD networks to meet requirement of natural gas in domestic, commercial and industrial segments including Compressed Natural Gas in the vehicular segment in the said geographical area to be authorized and also comply with the relevant regulations.

The entities shall be required to carry out the development of CGD project in line with the regulations laid down by the PNGRB.

1.3 DESIGN OF CGD NETWORK

A CGD network shall be designed to operate at a pressure as specified in the PNGRB's relevant regulations for technical standards and specifications, including Safety Standards for maintaining the volumes of supply of natural gas on a sustained basis to meet the following requirements, namely:

(a) Customers having requirement of natural gas up to 50,000 SCMD shall be supplied through the CGD network;

(b) Customers having requirement of natural gas more than 50,000 SCMD and up to 100,000 SCMD shall be supplied-

(i) through the CGD network; or

(ii) through a pipeline not forming part of the CGD network;

(c) Customers having requirement of natural gas more than 100,000 SCMD shall not be supplied through CGD network.

1.4 APPLICATION FEE, BIDDERS' MINIMUM ELIGIBLITY CRITERIA AND BID BOND

1.4.1 Bidder shall furnish non-refundable application fee by Demand Draft or Pay Order of value as mentioned in 'Invitation for Application-cum-Bid', favouring Petroleum and Natural Gas Regulatory Board and payable at New Delhi, issued by Nationalised / Scheduled Indian banks (except Cooperative & Gramin Bank) or any branch of Foreign Bank in India. However, in case the bidder has already paid the application fee at the time of submission of Expression of Interest, the bidder shall not be required to pay the application fee, unless there is a requirement to pay additional application fee as required under relevant regulation.

The Application-cum-Bid without application fee shall be summarily rejected. The application fee has to be submitted in Envelope I of the Application-cum-Bid.

1.4.2 The PNGRB shall scrutinize the Application-cum-Bids received in respect of only those bidders which fulfil the minimum eligibility criteria as specified in clauses (a) to (i) of sub-regulation 6 to 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.

1.4.2.1 The combined net worth of the entity along with its promoters to be considered for qualification for any bid shall be as assessed after setting off net worth required as per the following priority in line with the clauses (e) of sub-regulation 6 to 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 :

a) CGD networks already granted authorization in the past 24 months or being considered for grant of authorization under regulation 18 (1).

b) CGD networks where authorizations granted by central government as furnished by the entity under regulation 17(1) have been accepted in the past 24 months or are under consideration of acceptance by PNGRB.

c) CGD networks already granted authorization in the past 24 months through bidding process.

d) CGD networks bid by the entity where grant of authorization by PNGRB is still under process.

The certified copy of the combined net worth of the bidding entity should be not more than a quarter old (from the date of submission of the bid). This statement shall be signed by the concerned Director of the company and certified by a Chartered Accountant.

The entity has to state in Annexure 11, details of the CGD networks falling under each of the above categories along with the net worth requirement for individual case. The time period of 24 months as stated above shall be counted from the last date of bid submission.

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The Financial Bid of an entity shall be opened only if adequate net worth is available in line with above criteria. The sequence of opening of bids shall be entirely as per discretion of the PNGRB and no request from the entity about opening a particular bid before other bids submitted by him will be entertained.

Restoration of set off of the net worth as provided above shall be done as and when the CGD network cases being considered under bidding, regulation 17(1) or 18(1) are rejected.

1.4.2.2 Qualification of at least 2 out of minimum required 3 technically qualified personnel shall be degree in Engineering from any recognised Institution / University. The entity shall be required to submit copies of the qualifications as well as work experience certificates for 3 technically qualified personnel.

1.4.3 In case the bidder submitting the bid does not fulfil the requirements of any criteria under clause 1.4.1 and 1.4.2 above, the bid submitted is liable to be rejected and a communication in this regard shall be sent and the financial bid shall not be opened for that bidder.

1.4.4 Bidder shall furnish a bid bond by Demand Draft or Pay Order or Bank Guarantee (as per Annexure 12) of value as mentioned in 'Invitation for Application-cum-Bid', favouring Petroleum and Natural Gas Regulatory Board and payable at New Delhi issued by Nationalised / Scheduled Indian banks (except Cooperative & Gramin Bank) or any branch of Foreign Bank in India. The Application-cum-Bid without bid bond shall be summarily rejected. The PNGRB shall not be liable to pay any interest on the amount of bid bond.

1.4.5 The Bid Bond shall be encashed/ released / retained as per relevant regulations. For the purpose of this clause,

(a) 'Walk out' by an entity shall mean withdrawal from the bidding process by an entity from the date of bid submission to the grant of authorization to one of bidding entities.

(b) 'Unsuccessful entity' shall mean all those entities remaining after completion of the authorization process other than the authorized entity.

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2.0 BIDDING DOCUMENT

2.1 DOCUMENTATION

2.1.1 The bidder is expected to examine all instructions, forms, terms and conditions in the 'Application-cum-Bid document' and relevant regulations of PNGRB. The 'Application-cum-Bid document' together with all its attachments thereto shall be considered to be read, understood and accepted by the bidder. Failure to furnish all the information required as per the 'Application-cum-Bid document' or submission of Application-cum-Bid not complete in every respect will be at bidder's risk and may result in the rejection of the Application-cum-Bid.

2.1.2 This 'Application-cum-Bid document' comprises 12 Nos. of Annexures. The bidder shall note the following with respect to these Annexures :

Annexure 1	Map depicting the Geographical Area and Charge Area	The bidder shall carefully study the geographical area and charge area before submitting their Application-cum-Bid.
Annexure 2	Bidder's particulars with respect to	The bidder shall provide required information in the given format duly

	minimum eligibility criteria	filled-in and signed by the bidder or authorized signatory along with official seal attaching supporting documents. This shall be submitted separately as a part of Technical Bid.
Annexure 3	Undertaking	The bidder shall provide required undertaking in the given format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.
Annexure 4	No Deviation Confirmation	The bidder shall provide required confirmation in the given format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.
Annexure 5	Information to be given by bidder	The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.
Annexure 6	Check-list	The bidder shall confirm the check-list in the given format duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid. This Annexure is meant to help the bidder to complete their Application-cum-Bid in all respect.
Annexure 7	Proforma of Performance Bank Guarantee	The bidder shall provide their acceptance by signing on Proforma of Performance Bank Guarantee by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.
Annexure 8	Proforma of Letter of Authority for attending bid openings	The bidder shall provide required letter of authority for attending the bid opening in the given format in their letterhead duly signed by a person competent and having the power of attorney to bind the bidder along with official seal. This shall be submitted separately and not as a part of Application-cum-Bid.
Annexure 9	Bid Forwarding Letter	The bidder shall submit the Application cum-Bid forwarded by this format in their letterhead duly signed by the

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		bidder or authorized signatory along with official seal. This shall be submitted as a part of Application-cum-Bid in all three envelopes as specified in clause 2.5 of this document.
Annexure 10A	Audited data for last three financial years of the bidding entity	The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal and also signed by the concerned Director of the bidding entity and certified by the Chartered Accountant. This shall be submitted separately as a part of Technical Bid.
Annexure 10B	Audited data for last three financial years of the promoter(s), if any	The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal and also signed by the concerned Director of the promoter(s) and certified by the Chartered Accountant. This shall be submitted separately as a part of Technical Bid.
Annexure 11	Declaration about CGD authorization(s) received / Geographical Area(s) bid by the entity	The bidder shall provide required information in the given format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.
Annexure 12	Proforma of Bid bond Bank Guarantee	The bidder shall provide their acceptance by signing on Proforma of Bid bond Bank Guarantee by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid. Validity of the bid bond bank guarantee shall be 120 days from the bid closing date.

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2.1.3 The sequencing of the documents in the Application-cum-Bid shall be as follows:

(i) Envelope I
   a. Bid Forwarding Letter
   b. Application Fee
   c. Bid Bond

(ii) Envelope II
   a. Copy of Bid Forwarding Letter
   b. Check-list
   c. All documents in support of the bidder's minimum eligibility criteria
   d. Power of Attorney issued in favour of signatory of Application-cum-Bid

e. Part I (Technical Bid) : General particulars of the entity and technical details of the project, duly filled-in along with all supporting drawings / documents as required

f. Feasibility Report including total estimated project cost of the proposed CGD Network along with Part I (Technical Bid)

g. Full set of 'Application-cum-Bid document' along with Addendum / Corrigendum, duly signed by the bidder or authorized signatory along with official seal on all pages

h. Annexures, duly filled-in and signed along with official seal as indicated in clause No. 2.1.2 above

i. Additional documents, if any

(iii) Envelope III

a. Copy of Bid Forwarding Letter

b. Part-II (Financial Bid) contains Network Tariff / Compression Charge / Inch – kilometer of Steel Pipeline / Number of PNG Domestic Customers, Present Value and year–wise values in the 'Financial Bid Form'

2.1.4 The Application-cum-Bid shall contain no erasures or overwriting except as necessary to correct errors made by the bidder. Erasures or other changes, if unavoidable, in the Application-cum-Bid shall be done neatly by cutting the words or lines with the initials of the person signing the Application-cum-Bid, else it will be out rightly rejected. Application-cum-Bid with overwriting or erasure by using the white ink or any other colour fluid is liable to be rejected.

2.1.5 For ease of documentation, the bidder, if he so wishes, may enclose in a bound manner in a single booklet the documents required against Schedule C Part - I, Sl. No. 1, 2 & 4 with the Technical Bid.

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2.2 CLARIFICATIONS OF APPLICATION-CUM-BID DOCUMENT

Entity requiring any clarification shall obtain the same from the Secretary, PNGRB in writing so as to ensure submission of Application-cum-Bid on or before bid closing date. The PNGRB will respond in writing to such queries, which are received up to two months from first day of bid sale period. Written copies of PNGRB's response (including explanation of the query but without identifying the source of the query) will be sent to all the entities that have been issued the 'Application-cum-Bid document' from PNGRB and it will also be hosted on the web site of PNGRB.

2.3 AMENDMENT OF BIDDING DOCUMENTS

2.3.1 At any time prior to the deadline for submission of bids, the PNGRB for any reason may modify the 'Application-cum-Bid document' by amendment thereto.

2.3.2 The amendment shall be notified in writing to all prospective entities that have been issued the 'Application-cum-Bid document' / hosted on website of PNGRB and will be binding on them. In order to afford prospective entities' reasonable time in which to take the amendment into account in preparing their Application-cum-Bids, the PNGRB may, at its own discretion, extend the deadline for the submission of Application-cum-Bids.

2.3.3 The PNGRB may, at their discretion, extend the deadline for the submission of Application-cum-Bids by amending the bidding documents, in which case all rights and obligations of the PNGRB and entities previously subject to the deadline will thereafter be subject to the deadline as extended.

2.4 LANGUAGE OF APPLICATION-CUM-BID

The Application-cum-Bid prepared by the bidder and all correspondence / drawings and documents relating to the Application-cum-Bid exchanged between the bidder and the PNGRB shall be in English language, provided that any printed literature furnished by the bidder may be written in another language so long as accompanied by ENGLISH translation in which case, for purpose of interpretation of the Application-cum-Bid, the ENGLISH translation shall govern.

2.5 DOCUMENTS COMPRISING APPLICATION-CUM-BID

The Application-cum-Bid shall be submitted in three parts in separate properly earmarked and sealed envelopes, namely:-

(a) Envelope I

- Bid Forwarding Letter
- Application Fee in the form of Demand Draft or Pay Order.
- Bid Bond in the form of Demand Draft or Pay Order or Bank Guarantee

(b) Envelope II

- Copy of Bid Forwarding Letter.
- All documents in support of bidder's minimum eligibility criteria pursuant to Clause 1.4.2 of 'Instructions to Bidders' and as specified at Annexure 2.
- Power of attorney issued in favour of the signatory of Application-cum-Bid.
- Schedule – C Part I 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 duly filled-in along with all supporting drawings / documents as required.
- Feasibility Report of the proposed CGD Network including the total estimated project cost.
- Full set of 'Application-cum-Bid document' along with its Annexures (Annexure 1 to Annexure 11) and Addendum / Corrigendum, signed by the bidder or authorized signatory along with official seal on all pages as an acceptance of terms and conditions, Annexures and clauses mentioned in all the sections of this document.
- All the requisite Annexures duly filled-in and signed along with official seal on all pages as indicated therein and supported with the necessary documents.

(c) Envelope III

- Copy of Bid Forwarding Letter.
- Financial bid comprising 'Financial Bid Form' duly filled in and signed by the bidder or authorized signatory along with official seal on all pages.

2.6 FINANCIAL BID

2.6.1 Year wise Network Tariff / Compression Charge / Inch – kilometre of Steel Pipeline / Number of PNG Domestic Customers, quoted by the bidder shall remain firm and fixed for the period quoted.

2.6.2 All quotes shall be written in both words and figures. In the event of difference, the quotes in words shall be valid and binding. In case any quoted figure is more than two decimal places the same shall not be considered beyond second decimal point.

2.6.3 Incomplete quotes shall be summarily rejected.

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2.6.4 The values quoted against the "Present Value" shall be derived from the year wise values quoted by the bidder and applying the discounting rate as mentioned. In case of an arithmetic error, the year wise values quoted by the entity shall be taken as correct and present value shall be amended accordingly.

2.7 BID CURRENCIES

Bidders shall submit their Network Tariff / Compression Charge in Indian Rupees only.

2.8 PERIOD OF VALIDITY OF APPLICATION-CUM-BIDS

2.8.1 Application-cum-Bids shall be kept valid for at least 120 days from the original bid closing date. A bid valid for a shorter period may be considered as non-responsive and liable to be rejected by the PNGRB.

2.8.2 In exceptional circumstances, the PNGRB may request the bidders' consent for an extension of the validity period. The request and the responses thereto shall be made in writing through a letter or by Fax / E-mail to all the bidders from whom Application-cum-Bids have been received. The Application-cum-Bids of only those bidders, who extend the validity unconditionally, shall be opened.

2.8.3 The bidder shall not be allowed to modify the bid after its submission.

2.9 FORMAT AND SIGNING OF APPLICATION-CUM-BID

2.9.1 The bidder shall submit two copies of the Application-cum-Bid clearly marking one 'Original Application-cum-Bid' and the other as 'True Copy of Application-cum-Bid'. In the event of any discrepancies between them, the original shall govern.

2.9.2 The Application-cum-Bid must include the name and place of business of the entity making the Application-cum-Bid and must be signed and stamped by the authorized signatory of the bidder with his usual signature on each page.

2.9.3 The bidder's name stated on the Application-cum-Bid shall be the exact legal name of the bidder.

3.0 SUBMISSION OF APPLICATION-CUM-BIDS

3.1 SEALING AND MARKING OF APPLICATION-CUM-BIDS

3.1.1 The bidders shall submit the Application-cum-Bid in three different sealed envelopes which shall all be sealed in an outer envelope. The entity is required to submit in duplicate its application-cum-bid document with all enclosures .A soft copy of the application-cum-bid document (un-priced) with all enclosures in a compact disc with digital signatures shall also be submitted.

(i) **Envelope - I** : Application Fee and Bid Bond

(ii) **Envelope - II** : Technical Bid

It should contain 1 (one) original plus 1 (one) true copy of Technical Bid together with 'Application-cum-Bid document' along with its Annexures and Addendum / Corrigendum, duly signed by the bidder or authorized signatory along with official seal on all pages, as an acceptance. This envelope should be clearly marked **BID PART I: TECHNICAL BID** and **Bid No. PNGRB/EOI/BID/CGD/08/2009/2/GA-ALLAHABAD** Due Date **25th June 2009.**

(iii) Envelope - III : Financial Bid

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This envelope should contain 1(one) original plus 1 (one) true copy of the quoted financial bid comprising of duly filled-in 'Financial Bid Form', clearly marking one as 'Original' and the other as 'True Copy'. This envelope should clearly be marked **BID PART II: FINANCIAL BID** and **Bid No. PNGRB/EOI/BID/CGD/08/2009/2/GA-ALLAHABAD** In case any of the envelopes is found not marked or sealed properly, the Application-cum-Bid shall be summarily rejected.

3.1.2 The outer envelope shall be addressed to :

Secretary,
Petroleum and Natural Gas Regulatory Board, 1st Floor,
World Trade Centre, Babar Road, New Delhi – 110 001

and bear the title : "**PNGRB : APPLICATION-CUM-BID FOR GRANT OF AUTHORIZATION FOR LAYING, BUILDING, OPERATING OR EXPANDING CITY OR LOCAL NATURAL GAS DISTRIBUTION NETWORK IN THE GEOGRAPHICAL AREA OF ALLAHABAD IN THE STATE OF UTTAR PRADESH** "

BID No. : PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD
BID CLOSING DATE: 25th June 2009
"DO NOT OPEN BEFORE 25th June 2009"

The outer envelope must indicate the name and address of the bidder to enable the Application-cum-Bid to be returned unopened in case it is declared late. Application-cum-bid shall be submitted in the tender box kept in the designated place in PNGRB office**.** In case the envelope containing the bid documents is too voluminous and cannot be dropped in the tender box, the same may be handed over to the office of Secretary, PNGRB

3.1.3 Each bidder shall submit only one Application-cum-Bid. The bids of the bidder submitting more than one Application-cum-Bid shall be rejected.

3.2 DEADLINE FOR SUBMISSION OF APPLICATION-CUM-BIDS

A time period of 120 (one hundred twenty) days shall be allowed for submission of the Application-cum-Bid.

The PNGRB may, at its discretion, on giving reasonable notice by fax or any communication to all prospective entities that have been issued the 'Application-cum-Bid document', extend the deadline for the submission of Application-cum-Bids reserving all rights of the PNGRB and the entities, shall thereafter be subject to the deadline as extended.

3.3 LATE RECEIPT OF APPLICATION-CUM-BIDS

Any Application-cum-Bid received after the deadline for submission of Application-cum-Bids indicated in 'Invitation for Application-cum-Bid' or any other date extended in writing by PNGRB shall be rejected.

4.0 OPENING AND EVALUATION OF APPLICATION-CUM-BIDS

4.1 OPENING OF APPLICATION-CUM-BIDS

4.1.1 The PNGRB shall open the Part I - Technical Bids in public in presence of bidders' representative who may choose to attend the opening. Representatives who are present shall sign a register evidencing their attendance. The bidder's representative shall furnish a letter of authority to attend the bid opening as per Annexure 8.

4.1.2 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

SAMPLE

conformity with 'Application-cum-Bid document' and proceed for evaluation of those bids only, which have zero deviation.

4.1.3 Technically acceptable bidder's representative shall be invited to attend financial bid opening for which a minimum 24 hours notice shall be given.

4.2 EVALUATION AND COMPARISON OF APPLICATION-CUM-BIDS

4.2.1 TECHNICAL BID

4.2.1.1 The bidder has to submit all the forms and formats mentioned in the 'Application-cum-Bid document' duly filled-in, failing which the Application-cum- Bid will liable to be rejected.

4.2.1.2 Documentary evidences are to be submitted by the bidder for all the formats wherever it is required.

4.2.1.3 If the information furnished by the bidder is found to be incorrect, the Application-cum-Bid is liable to be rejected.

4.2.1.4 PNGRB can make any enquiry / seek clarification from the bidders, which the bidders must furnish within the stipulated time else Application-cum-Bid of such defaulting bidders may likely to be rejected.

4.2.2 FINANCIAL BID

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.

4.2.2.1 Bidder with the highest composite score shall be declared as successful in the bid.

4.3 PROCESS TO BE CONFIDENTIAL

Information relating to the examination, evaluation and comparison of bids and recommendations, shall not be disclosed to entities or any other person officially concerned with such process. Any effort by an entity to influence the PNGRB in any manner in respect of bid evaluation or grant of authorization will result in the rejection of its Application-cum-Bid.

4.4 PNGRB'S RIGHT TO ACCEPT OR REJECT ANY OR ALL APPLICATION-CUM-BIDS

Notwithstanding anything to the contrary contained herein, the PNGRB reserves the right to accept or reject any Application-cum-Bid, and to annul the bidding process and reject all Application-cum-Bids, at any time prior to grant of authorization without assigning any reason.

4.5 PERFORMANCE BOND

4.5.1 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.

4.5.2 The selected entity shall submit performance bond guaranteeing the timely commissioning of the proposed CGD network as per the prescribed targets and meeting the service obligations during the operation phase of the project.

4.5.3 Performance Bond shall be submitted by way of Bank Guarantee issued or counter guaranteed by any of the Nationalised / Scheduled Indian banks (except Cooperative &

SAMPLE

Gramin Bank) or any branch of Foreign Bank in India as per the Proforma of Performance Bank Guarantee prescribed at Annexure 7.

4.6 GRANT OF AUTHORIZATION.

The authorization shall be granted to the selected entity as specified in regulation 10 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.

4.7 ACCEPTANCE TO GRANT OF AUTHORIZATION

4.7.1 Within 14 (fourteen) days from date of receipt of the Grant of authorization, the entity shall sign the Proforma for 'Acceptance of the Grant of Authorization' enclosed with Schedule-D 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 'Acceptance of the grant of Authorization' shall be signed by the selected entity or authorised signatory along with official seal.

4.7.2 After confirmation / signing, the terms and conditions contained therein take precedence over entity's bid conditions and all previous correspondence.

4.7.3 If, the entity does not deposit the Performance Bank Guarantee within specified time period, PNGRB reserves the right to cancel the proposed authorization without prejudice to various rights and remedies including forfeiting the Bid Bond of the entity and without being liable in any manner whatsoever to the entity.

5.0 SERVICE OBLIGATIONS AND QUALITY OF SERVICE STANDARDS

Service obligations and quality of service standards of the authorized entity shall be as per the relevant regulations of Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008 and Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008.

SAMPLE

6.0 INDEMNITY

The authorized entity shall indemnify the PNGRB against all third party claims of any loss, injury or damage to any person or property attributed to the negligence or failure of the service obligations of the entity or its agents.

7.0 FORCE MAJEURE

Force Majeure shall mean and be limited to the following:

a) War / hostilities
b) Major Riots or Civil Commotion
c) Earthquake, flood, tempest, lightening or other natural physical disasters
d) Restrictions imposed by Central Government or other statutory bodies which prevents or delays the execution of obligations under the Regulations.

The authorized entity shall within one week of occurrence of above causes notify PNGRB about the occurrence of the force majeure event and provide PNGRB all details of arising and ceasing of the impediment. The time and performance of the respective obligations suspended by the force majeure shall stand extended by the period(s) for which such conditions of force majeure last. PNGRB's decision, whether such force majeure conditions did actually exist shall be final and binding.

8.0 MISCELLANEOUS

If any dispute arises with regards to the interpretation of any of the provisions of these regulations, the decision of PNGRB shall be final.

9.0 DISCLAIMER

The entities should ensure that the 'Application-cum-Bid document' is complete in all respect. In the event that the ''Application-cum-Bid document' or any part thereof is mutilated or missing, the entities shall notify the PNGRB immediately.

In the event such written notice is not received at by PNGRB within 7 (seven) days from the date of issue of the 'Application-cum-Bid document' to the entity, the ''Application-cum-Bid document' received by the entity shall be deemed to be complete in all respect. No extension of time shall be granted under any circumstances to any entity for submission of Application-cum-Bid on grounds that the entity did not obtain a complete set of 'Application-cum-Bid document'. The PNGRB makes no representation or warranty, express or implied, as to the accuracy, correctness and completeness of the information contained in the 'Application-cum-Bid document'.

SAMPLE

SECTION-II

SAMPLE

ANNEXURES

ANNEXURE 1

(The bidder shall carefully study the geographical area and charge area before submitting their Application-cum-Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

MAP DEPICITING THE GEOGRAPHICAL AREA AND CHARGE AREAS

SAMPLE

Attached

Map No.: BID/CGD/08/2009/2/GA- ALLAHABAD

SAMPLE

ANNEXURE 2
(1 of 3)

(The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal attaching supporting documents. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

BIDDER'S PARTICULARS WITH RESPECT TO MINIMUM ELIGIBILITY CRITERIA

(As per sub-regulation 6 to 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)

(Refer clause 1.4.2 of Section I: Instructions to Bidders)

1.	Details of Application Fee submitted (Amount and DD / Pay Order No.)	
2.	Technical capability of laying and building CGD network. Please indicate which criteria out of regulation 5 (6) (b) (i) to (iv) the bidder is claiming qualification under. (Please attach documentary evidence in support of the above and credible plan to independently undertake and execute the CGD project on a standalone basis)	
3.	Technical capability of operating and maintaining CGD network. Please indicate which criteria out of regulation 5 (6) (c) (i) to (iv) the bidder is claiming qualification under. (Please attach documentary evidence in support of the above and credible plan to develop an in-house O&M team for CGD network)	
4.	Confirm agreement to abide by the relevant regulations for technical standards and specifications, including safety standards.	Confirmed

SAMPLE

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

5.	Adequate financial strength to execute the proposed CGD project, operate and maintain the same and meeting the financial criterion in terms of having a minimum combined net worth as specified under regulation 5 (6) (e). (Separate statement of net worth of the bidding entity and its promoters shall be signed by the concerned Director(s) of the bidding entity / promoters and duly certified by a Chartered Accountant) Combined net worth (equity share capital plus free reserves, but excluding revaluation reserves) to be adequately represented by cash funds, which shall be available as bridge finance and as promoter's equity contribution in the project. These statements shall be based on a period not more than a quarter old from the date of submission of the bid, based on the latest financial position of the bidder and its promoters. The promoter's undertaking, in the form of letter of comfort, stating that promoter's financial contribution in the project shall be converted in to equity share capital within three months of the date of grant of authorization must accompany the application. (Letter of Comfort from promoter & their statement of net worth is required only if the bidding entity intends to include the promoter's net worth in the consideration)	
6.	Whether the bidder is already registered under the Companies Act, 1956 or proposes to do so in the event of grant of authorization.	
7.	Plan for sourcing natural gas for supply in the proposed CGD network (Please attach full details).	

SAMPLE

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

ANNEXURE 2
(3 of 3)

8.	Details of Bid Bond submitted (Amount and DD / Pay Order No./ Bank Guarantee).	
9.	Confirm that no penalty has ever been imposed under section 28 or punished under Chapter IX of the Act.	Confirmed

Attached are copies of the supporting documents indicating that all the above minimum eligibility criteria are fulfilled.

Date :

Place :

Name and Signature of bidder or authorized signatory
Official Seal

Enclosures :

1.
2.
3.
4.
5.
6.

SAMPLE

ANNEXURE 3
(1of 2)

(The bidder shall provide required undertaking in the given format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

UNDERTAKING

Date :

Secretary,
Petroleum and Natural Gas Regulatory Board,
1st Floor, World Trade Centre,
Babar Road,
New Delhi – 110 001

Dear Sir,

Having examined the 'Application-cum-Bid document' with Bid No. **PNGRB/ EOI/ BID/ CGD/ 08/ 2009/2/GA-ALLAHABAD,** we, the undersigned, seek authorization for laying, building, operating or expanding a city or natural gas distribution work in conformity with the said 'Application-cum-Bid' document for Network Tariff / Compression Charge / Inch – kilometer of Steel Pipeline / Number of PNG Domestic Customers as may be ascertained in accordance with the Part II – Financial Bid of Schedule C of Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

We undertake, if our Application-cum-Bid is accepted, to develop the CGD Network, offered to us within implementation schedule mentioned in our Technical Bid, and we shall furnish the Performance Bond from a Nationalised / Scheduled Indian bank (except Cooperative & Gramin Bank) or any branch of Foreign Bank in India, equivalent to amount as per regulation 9 of Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

We certify that:

1. Our Application-cum-Bid is genuine and is not made in the interest of or on the behalf of any undisclosed person, association of persons, firm, company, or co-operative society , and is not submitted in conformity with and agreement of any undisclosed person, association of persons, firm, company, or co-operative society .
2. We have not solicited or induced any undisclosed person, association of persons, firm, company, or co-operative society to refrain from submitting Application-cum-Bid.
3. 'Application-cum-Bid document' received from PNGRB is complete in all respects.

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

SAMPLE

ANNEXURE 3
(2 of 2)

4. The 'Application-cum-Bid document' along with its Annexures and Addendum / Corrigendum, being submitted is original as obtained from PNGRB and that no changes whatsoever have been made in same.

We also agree to abide by the validity period of 120 days from the original bid closing date and it shall remain binding upon us and may be accepted at any time before the expiry of that period.

It is certified that the information submitted / statement made in this Application-cum-Bid are correct, complete and truly stated and if any information given / statement made herein is found to be incorrect, our Application-cum-Bid shall be rejected / authorization, if granted under this bid shall be cancelled, apart from making us liable for such act as provided for in the regulations.

We understand that PNGRB reserves the right to accept or reject any Application-cum-Bid, and to annul the bidding process and reject all Application-cum-Bids.

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

SAMPLE

ANNEXURE 4
(1 of 1)

(The bidder shall provide required confirmation in the given format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

NO DEVIATION CONFIRMATION

(Refer clause 5 of Invitation for Application-cum-Bid)

To

Secretary,
Petroleum and Natural Gas Regulatory Board,
1st Floor, World Trade Centre,
Babar Road,
New Delhi – 110 001

Dear Sir,

We understand that any deviation / exception in any form may result in rejection of Application-cum-Bid. We, therefore, certify that we have not taken any deviation / exception anywhere in the Application-cum-Bid and we agree that if any deviation / exception is considered or noticed, our Application-cum-Bid may be rejected.

SAMPLE

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

ANNEXURE 5
(1 of 1)

(The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA-ALLAHABAD

INFORMATION TO BE GIVEN BY BIDDER

Sl. No	Item	Response
1	Whether the proprietor / partner / director/ chairperson / secretary of the bidding entity is related to any Member / Chairperson of PNGRB?	
2	Details of the officer to whom all references shall be made regarding Application-cum-Bid Name : Designation : Official Address : Telephone : Mobile : E-mail : FAX :	

SAMPLE

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

ANNEXURE 6
(1 of 1)

(The bidder shall confirm the check-list in the given format duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

CHECK-LIST

Sl. No.	Item	Check Yes / No
1	Application Fee	Yes / No
2	Bid Bond	Yes / No
3	All documents in support of the bidder's minimum eligibility criteria	Yes / No
4	Power of Attorney issued in favor of signatory of Application-cum-Bid	Yes / No
5	Part I (Technical Bid) : General particulars of the entity and technical details of the project, duly filled-in along with all supporting drawings / documents as required	Yes / No
6	Feasibility Report including total estimated project cost of the proposed CGD Network along with Part I (Technical Bid)	Yes / No
7	Full set of 'Application-cum-Bid document' along with Addendum / Corrigendum, duly signed by the bidder or authorized signatory along with official seal on all pages	Yes / No
8	Certification by Chartered Accountant about Net worth of the entity and letter of comfort from the promoter(s), if any	Yes / No
9	Annexures, duly filled-in and signed along with official seal as indicated therein	Yes / No
10	No deviation considered and Annexure 4 submitted duly signed by the bidder or authorized signatory along with official seal, in confirmation to no deviation	Yes / No
11	All the pages signed by the bidder or authorized signatory along with official seal and sequentially number on each page of Application-cum-Bid including all enclosures	Yes / No
12	Bidder to indicate additional documents point-wise with nature of document with a proper index giving page number	Yes / No
13	Part-II (Financial Bid) contains Network Tariff / Compression Charge / Inch – kilometer of Steel Pipeline / Number of PNG Domestic Customers, Present Value and year–wise values in the 'Financial Bid Form'	Yes / No

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

SAMPLE

ANNEXURE 7
(1 of 2)

(The bidder shall provide their acceptance by signing on Proforma of Performance Bank Guarantee by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

PROFORMA FOR PERFORMANCE BANK GUARANTEE

(Refer clause 4.5 of Section I : Instructions to Bidders)

To

Secretary,
Petroleum and Natural Gas Regulatory Board,
1st Floor, World Trade Centre,
Babar Road,
New Delhi – 110 001

In consideration of the Petroleum and Natural Gas Regulatory Board (hereinafter referred to as 'PNGRB) having agreed to grant authorization to M/s _____ of _____ (hereinafter called 'the authorized entity') to lay, built, operate, or expand CGD network (hereinafter called 'the service') as per Letter of Authorization No. _____ dated _____ (hereinafter called 'the said Authorization') on the terms and conditions contained in the said Authorization, which inter-alia provides for production of a Bank Guarantee to the extent of Rs._____ (in words _____) for the service by way of security for the due observance and performance of the terms and conditions of the said Authorization. We _____ (indicate the name and address and other particulars of the Bank) (hereinafter referred to as 'the Bank') at the request of the Authorized Entity hereby irrevocably and unconditionally guarantee to PNGRB that the Authorized Entity shall render all necessary and efficient services which may be required to be rendered by the Authorized Entity in connection with and / or for the performance of the said Authorized Entity and further guarantees that the service which shall be provided by the Authorized Entity under the said Authorization, shall be actually performed in accordance with the terms & conditions of the Authorization to the satisfaction of PNGRB.

2. We, the Bank, hereby undertake to pay PNGRB an amount not exceeding Rs……(Rupees……only) against any breach with respect to timely commissioning of the proposed CGD network as per prescribed targets and also meeting service obligations by the authorized entity during the operating phase of the project, including failure to extend the validity of this guarantee or to give a fresh guarantee in lieu of the existing one.

3. We, the Bank hereby, in pursuance of the terms of the said Authorization, absolutely, irrevocably and unconditionally guarantee as primary obligor and not merely as surety the payment of an amount of Rs._____ (Rupees _____ only) to PNGRB to secure due and faithful performance by the Authorized Entity of all his/their obligations under the said Authorization.

SAMPLE

4. We, the Bank, hereby agree that the decision of PNGRB as to whether the Authorized Entity has failed to or neglected to perform or discharge his duties and obligations under the said authorization and / or whether the service is free from deficiencies and defects and is in accordance with or not of the terms & conditions of the said Authorization and as to the amount payable to PNGRB by the Bank hereunder shall be final and binding on the Bank.

5. WE, THE BANK, DO HEREBY DECLARE AND AGREE that:

   (a) the Guarantee herein contained shall remain in full force and effect for economic life of the CGD network project as specified in PNGRB regulations.

   (b) the PNGRB shall have the fullest liberty without our consent and without affecting in any manner our obligations hereunder to vary any of the terms and conditions of the said Authorization or to extend time of performance of any obligations by the said Authorization from time to time or to postpone for any time or from time to time any of the powers exercisable by the PNGRB against the said Authorized Entity and to forbear or to enforce any of the terms and conditions relating to the said Authorization and we shall not be relieved from our liability by reason of any variation or extension being granted to the said Authorized Entity or forbearance act or omission on the part of PNGRB or any indulgence by the Board to the said Authorized Entity or to give such matter or thing whatsoever which under the law relating to sureties would but for this provision, have effect of so relieving us.

   (c) any claim which we have against the Authorized Entity shall be subject and subordinate to the prior payment and performance in full of all the obligations of us hereunder and we will not without prior written consent of PNGRB exercise any legal right or remedy of any kind in respect of any such payment or performance so long as the obligations of us hereunder remains owing and outstanding.

   (d) This Guarantee shall be irrevocable and the obligations of us herein shall not be conditional of any prior notice by us or by the Authorized Entity.

SAMPLE

6. We the BANK undertake not to revoke this Guarantee during its currency except with the previous consent of PNGRB in writing.

7. Notwithstanding anything contained above, our liability, under the Guarantee shall be restricted to Rs…… and our Guarantee shall remain in force until….year from the date hereof. Unless a demand or claim under this Guarantee is made on us in writing within this date i.e. …. all your rights under the Guarantee shall be forfeited and we shall be released and discharged from all liabilities there under.

Dated_____ day _____ for _____
(Name of the Bank)

Witness :
1……..
……
……
2……..
……
……
……

ANNEXURE 8
(1 of 1)

(The bidder shall provide required letter of authority for attending the bid opening in the given format in their letterhead duly signed by a person competent and having the power of attorney to bind the bidder along with official seal. This shall be submitted separately and not as a part of Application-cum-Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

PROFORMA OF LETTER OF AUTHORITY FOR ATTENDING TECHNICAL BID OPENING AND FINANCIAL BID OPENING

(Refer clause 4.1.1 of Section I: Instructions to Bidders)

Date:

Secretary,
Petroleum and Natural Gas Regulatory Board,
1st Floor, World Trade Centre,
Babar Road,
New Delhi – 110 001

SAMPLE

Dear Sirs,

We.....hereby authorize following representative (s) to attend the Technical Bid opening / Financial Bid opening against your Invitation for Application-cum-Bid with Bid No.....for……

1. Name & Designation.....Signature.....

2. Name & Designation.....Signature.....

We confirm that we shall be bound by all and whatsoever our representative(s) shall commit.

Yours faithfully,

Signature.....

Name & Designation.....

For & on behalf of .....

ANNEXURE 9
(1 of 1)

(The bidder shall submit the Application cum-Bid forwarded by this format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted as a part of Application-cum-Bid in all three envelopes as specified in clause 2.5 of Section I: Instructions to Bidders)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA-ALLAHABAD

BID FORWARDING LETTER

Date:

Secretary,
Petroleum and Natural Gas Regulatory Board,
1st Floor, World Trade Centre,
Babar Road,
New Delhi – 110 001

Dear Sirs,

We enclose herewith the complete Application-cum-Bid as required. This includes application fee and bid bond, in addition to the following:

i. Power of Attorney issued in favor of signatory of Application-cum-Bid

ii. Schedule – C 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 : Part I – Technical Bid : General particulars of the entity and technical details of the project, duly filled-in along with supporting documents

iii. Feasibility Report of the Project including total estimated project cost

iv. Financial Bid covering the Network Tariff / Compression Charge / Inch – kilometer of Steel Pipeline / Number of PNG Domestic Customers, Present Value and year – wise values in the 'Financial Bid Form'

v. Full set of 'Application-cum-Bid document' along with its Addendum / Corrigendum

vi. Proforma for Performance Bank Guarantee (As format acceptance only).

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

Details of enclosures:

1.
2.
3.
4.
5.

SAMPLE

ANNEXURE 10 A
(1of 1)

(The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal and also signed by the concerned Director of the bidding entity and certified by the Chartered Accountant. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

AUDITED DATA FOR LAST THREE FINANCIAL YEARS OF THE BIDDING ENTITY

Sl. No.	Description	Financial Year 200_ - 200_ (in Rs. Millions)	Financial Year 200_ - 200_ (in Rs. Millions)	Financial Year 200_ - 200_ (in Rs. Millions)	For the period ending _____ (in Rs. Millions)
1	Turnover				
2	Profit / (Loss) Before Taxes				
3	Profit / (Loss) After Taxes				
4	Net Worth				

SAMPLE

√ Attached are copies of the audited balance sheets, including all related notes, and income statement for the last three Audited Financial years, as indicated above, complying with the following conditions:

- Historic financial statements must be audited by a certified accountant.
- Historic financial statements must correspond to accounting periods already completed and audited (no statement for partial periods shall be accepted).
- Historic financial statements must correspond to accounting periods only without any carry forward.
- Net worth means equity share capital plus free reserves, but excluding revaluation reserves.
- Period relevant for the last column shall be not more than a quarter old from the date of submission of bid.

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

ANNEXURE 10 B
(1of 1)

(The bidder shall provide required information in the given format duly filled-in and signed by the bidder or authorized signatory along with official seal and also signed by the concerned Director of the promoter(s) and certified by the Chartered Accountant. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

AUDITED DATA FOR LAST THREE FINANCIAL YEARS OF THE PROMOTER(S), IF ANY

Sl. No.	Description	Financial Year 200_ - 200_ (in Rs. Millions)	Financial Year 200_ - 200_ (in Rs. Millions)	Financial Year 200_ - 200_ (in Rs. Millions)	For the period ending _____ (in Rs. Millions)
1	Turnover				
2	Profit / (Loss) Before Taxes				
3	Profit / (Loss) After Taxes				
4	Net Worth				

SAMPLE

√ Attached are copies of the audited balance sheets, including all related notes, and income statement for the last three Audited Financial years, as indicated above, complying with the following conditions:

- Historic financial statements must be audited by a certified accountant.
- Historic financial statements must correspond to accounting periods already completed and audited (no statement for partial periods shall be accepted).
- Historic financial statements must correspond to accounting periods only without any carry forward.
- Net worth means equity share capital plus free reserves, but excluding revaluation reserves.
- Period relevant for the last column shall be not more than a quarter old from the date of submission of bid.

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

ANNEXURE 11
(1of 1)

(The bidder shall provide required information in the given format in their letterhead duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately as a part of Technical Bid.)

Bid No.: PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD

DECLARATION ABOUT CGD AUTHORIZATION(S) RECEIVED / GEOGRAPHICAL AREA(S) BID BY THE ENTITY

(Refer clause No. 1.4.2.1 of Section I: Instructions to Bidders)

Date:

Secretary,
Petroleum and Natural Gas Regulatory Board,
1st Floor, World Trade Centre,
Babar Road,
New Delhi – 110 001

We declare that the details of CGD networks where we have been already granted authorization(s) / are being considered for authorization under sub-regulation 18 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 / have submitted our bids for grant of authorization/ have furnished information under sub-regulation 17 are as under:

Sl. No.	Requirement	Details of each city/ G.A. (provide separate details for each CGD network)	Net worth in Rs. in Millions required under the relevant Regulations
1	CGD network already granted authorization under regulation 18 (1), in the past 24 months	1. 2. 3. …	
2	CGD networks under consideration for grant of authorization under regulation 18 (1)	1. 2. 3. …	
3	CGD networks where information has been furnished under regulation 17(1)	1. 2. 3. …	
5	CGD networks already granted authorization in the past 24 months through bidding process by PNGRB	1. 2. …	
6	CGD networks bid by the entity where grant of authorization by PNGRB is still under process	1. 2. … …	

Date :
Place :

Name and Signature of bidder or authorized signatory
Official Seal

SAMPLE

SECTION-III

SAMPLE

FINANCIAL BID FORM

Bid No. : **PNGRB/EOI/BID/CGD/08/2009/2/GA- ALLAHABAD**

(The bidder shall provide required information in the given format duly signed by the bidder or authorized signatory along with official seal. This shall be submitted separately in sealed envelope earmarked as Financial Bid).

<table>
<tr><td colspan="4">AUTHORIZATION FOR LAYING, BUILDING, OPERATING OR EXPANDING CITY OR LOCAL NATURAL GAS DISTRIBUTION NETWORK IN THE GEOGRAPHICAL AREA DEPICTED IN THE MAP</td></tr>
<tr><td colspan="4">PART-II: FINANCIAL BID (TO BE SUBMITTED IN A SEPARATE EARMARKED SEALED ENVELOPE)</td></tr>
<tr><td>A</td><td>Present Value (PV) of the Weighted Average Network Tariff Bid for laying, building, operating or expanding the CGD network over the economic life of the project (which is twenty five years from the date of authorization).</td><td colspan="2">PV of the weighted average unit network tariff bid for each year of the economic life of the project using the discount rate of 14% is
Rs.<_____> per MMBTU

Year-wise weighted average unit network tariff bid
<table>
<tr><td></td><td colspan="2">Rs. Per MMBTU</td></tr>
<tr><td></td><td>Figure.</td><td>Words</td></tr>
<tr><td>Year 1</td><td></td><td></td></tr>
<tr><td>Year 2</td><td></td><td></td></tr>
<tr><td>Year 3</td><td></td><td></td></tr>
<tr><td>Year 4</td><td></td><td></td></tr>
<tr><td>Year 5</td><td></td><td></td></tr>
<tr><td>Year 6</td><td></td><td></td></tr>
<tr><td>Year 7</td><td></td><td></td></tr>
</table></td></tr>
</table>

Date :
Place :

Name and Signature of Bidder / Authorized Signatory
Official Seal

SAMPLE

		Year 8		
		Year 9		
		Year 10		
		Year 11		
		Year 12		
		Year 13		
		Year 14		
		Year 15		
		Year 16		
		Year 17		
		Year 18		
		Year 19		
		Year 20		

SAMPLE

Date :
Place :

Name and Signature of Bidder / Authorized Signatory
Official Seal

		Year 21		
		Year 22		
		Year 23		
		Year 24		
		Year 25		
B	Present Value (PV) of the compression charge bid for compressing natural gas into CNG for dispensing in the CNG stations of the CGD network over the economic life of the project (which is 25 years from the date of authorization).	PV of the compression charge for CNG bid for each year of the economic life of the project using the discount rate of 14% is Rs.<_____> per Kg Year-wise compressed charge for CNG bid -		
			Rs. Per Kg.	
			Figure.	Words
		Year 1		
		Year 2		
		Year 3		
		Year 4		

Date :
Place :

Name and Signature of Bidder / Authorized Signatory
Official Seal

SAMPLE

		Year 5		
		Year 6		
		Year 7		
		Year 8		
		Year 9		
		Year 10		
		Year 11		
		Year 12		
		Year 13		
		Year 14		
		Year 15		
		Year 16		
		Year 17		
		Year 18		

SAMPLE

Date :
Place :

Name and Signature of Bidder / Authorized Signatory
Official Seal

		Year 19		
		Year 20		
		Year 21		
		Year 22		
		Year 23		
		Year 24		
		Year 25		

C	Present Value (PV) of inch-kilometer of steel pipeline bid in the CGD network during the period of exclusivity in terms of exemption from purview of common carrier or contract carrier.	PV of inch-kilometer of steel pipeline bid in the CGD network using the discount rate of 14% is <_____> inch-kilometer Year-wise inch-kilometer bid-		
			Inch-kilometer	
			Figure.	Words
		Year 1		
		Year 2		
		Year 3		
		Year 4		

Date :
Place :

Name and Signature of Bidder / Authorized Signatory
Official Seal

SAMPLE

<table>
<tr><td></td><td></td><td>Year 5</td><td></td><td></td></tr>
<tr><td></td><td></td><td colspan="3">(Each year of exclusivity in terms of exemption from purview of common carrier or contract carrier)</td></tr>
<tr><td rowspan="8">D</td><td rowspan="8">Present Value of the number of PNG domestic customers bid in the CGD network during the period of exclusivity in terms of exemption from the purview of common carrier or contract carrier.</td><td colspan="3">PV of the number of PNG domestic connections bid using the discount rate of 14% is <_____> Number

Year-wise number of PNG domestic connections bid-</td></tr>
<tr><td></td><td colspan="2">Number</td></tr>
<tr><td></td><td>Figure.</td><td>Words</td></tr>
<tr><td>Year 1</td><td></td><td></td></tr>
<tr><td>Year 2</td><td></td><td></td></tr>
<tr><td>Year 3</td><td></td><td></td></tr>
<tr><td>Year 4</td><td></td><td></td></tr>
<tr><td>Year 5</td><td></td><td></td></tr>
<tr><td colspan="3">(Each year of exclusivity in terms of exemption from purview of common carrier or contract carrier</td></tr>
</table>

SAMPLE

Notes :

1. All quotes should be both in figures as well as words in the space as provided.
2. All values quoted above under A, B & C should be up to 2 (two) decimal places only. In case any quoted figure is more than two decimal places the same shall not be considered beyond second decimal point.
3. For calculating inch kilometer of steel pipeline, the nominal bore (N.B.) of the steel pipe shall be considered.

Date :
Place :

Name and Signature of Bidder / Authorized Signatory
Official Seal

ANNEXURE 12

Format for BANK GUARANTEE

(BID BOND GUARANTEE) - UNCONDITIONAL

(TO BE STAMPED IN ACCORDANCE WITH STAMP ACT)

REF. Bank Guarantee No.: Date:

To

The Secretary,
Petroleum & Natural Gas Regulatory Board
World Trade Centre, Ist Floor,
Barakhamba Lane, Babar Road, New Delhi – 110 001
INDIA

Dear Sir/s,

TENDER NO. _____ FOR CITY/GEOGRAPHIC AREA GAS DISTRIBUTION NETWORK IN _____

WHEREAS **(name of the bidder/company)** (HEREINAFTER CALLED 'Bidder') has submitted his/its Bid dated …….. for the City/Geographic Area Gas Distribution Network in …….. (hereinafter called the 'Bid') which has a stipulated bid bond amount of Rs. ……(Rupess……..).

This DEED OF BID BOND GUARANTEE is made on this ….. DAY OF……by **(name of the BANK)** having its Head Office at……..(hereinafter called the "Bank" which expression shall wherever the context so admit, include its executors, administrators and successors) in favour of the Petroleum & Natural Gas Regulatory Board, 1st Floor, World Trade Centre, Babar Road, New Delhi – 110 001(hereinafter called 'PNGRB')

NOW THEREFORE THE BANK THROUGH THIS DEED OF BID BOND GUARANTEE AGREES AS FOLLOWS:

1. The Bank, do hereby guarantee to undertake to pay the PNGRB on demand any and all sums payable by the bidder, the bid bond amount, as aforesaid at any time up to _____ (Period) without a reference to the bidder.
2. Any such demand, as specified in clause 1 above, made by PNGRB, on the bank, shall be inclusive and binding notwithstanding any dispute or difference between PNGRB and the Bidders or any dispute pending before any Court, Tribunals, arbitrators or any other Authority.
3. The bank hereby undertakes not to revoke this guarantee during its currency without prior approval of PNGRB in writing.
4. The Bank further agrees that the guarantee herein contained shall continue to be enforceable till the PNGRB discharges this guarantee.
5. PNGRB shall have the sole authority and liberty, without affecting this guarantee, to postpone from time to time the exercise of any power vested in them or of any right which they might have against bidder, and to exercise the same at any time in any manner, or to

SAMPLE

enforce or to forebear to enforce any covenants express or implied, in the aforementioned bid between PNGRB and bidder or any other course including security given to PNGRB.

6. The BANK shall not be released of its obligations by any exercise by PNGRB of its liability with reference to the matters aforesaid or any of them or by reason or any other acts of omission or commission on the part of PNGRB or any other indulgence shown by PNGRB or by any other matter or thing whatsoever which under law would, but for this provision, have the effect or relieving the BANK.
7. The BANK agrees that PNGRB at its option shall be entitled to enforce this Guarantee against the Bank as a Principal debtor, in the first instance without proceeding against bidder and notwithstanding any security or other guarantee that PNGRB may have in relation to the bidder's liabilities.
8. Notwithstanding anything contained in Clauses 1 to 7 above, the Bank's liability under this Guarantee is restricted to and it shall remain in force up to and including _____and shall be extended from time to time for such period as may be desired by the PNGRB.
9. The Bank hereby affirm that we are guarantors and responsible to PNGRB on behalf of the bidder up to a total amount of ……..(amount of guarantees in words and figures) and we undertake to pay PNGRB, upon PNGRB's first written demand on declaring the bidder to be in default under the bid and without caveat or demur of any kind whatsoever , any sum or sums within the limits of ……..(amount of guarantee) as aforesaid, without PNGRB needing to prove or show grounds or reasons for PNGRB's demand or the sum specified therein.

   This guarantee is valid until the _____day of _____200
10. The Bank, hereby affirms that it has power to issue this guarantee in favor of PNGRB under the Memorandum of Association and Articles of Association and the undersigned has full power to do so under the Power of Attorney/Resolution of the Board of Directors dated _____ accorded to him by the bank.
11. IN WITNESS WHEREOF the Bank has executed this deed of Bid Bond Guarantee on…… Day of ……200_,in the presence of:

WITNESS1:	BANK RUBBER
NAME (SIGNATURE)	(NAME)
WITNESS2:	STAMP (NAME)
NAME	
(SIGNATURE)	(OFFICIAL SEAL) Designation with bank stamp Plus
Date:	Attorney as per Power Of Attorney/Resolution Board of Directors

SAMPLE