

## **Addendum – 1**

### **1. Tender document, related fees and Bid bond/Bid Security/EMD:**

1.1 Bidders are required to submit their bid online on CPPP website. In addition, as per clause 3 of ACBD, certain documents as mentioned in Application-cum-bid document (ACBD) shall be submitted in physical mode, not later than 16.12.2021 by 17:30 hrs, in the boxes designated for the respective GAs kept at PNGRB office. All physical submissions shall be kept in a single sealed envelope with subscription “Bid for GA \_\_\_\_\_”, “Tender No. \_\_\_\_\_” and “Scheduled date of opening \_\_\_\_\_”. The physical submissions shall be opened on the scheduled date and time of opening of bids. Bidders are advised to witness the opening of bids. No separate communication shall be given in this regard.

1.2 The bidder who has deposited the Bid Bond/ Bid Security/ Earnest Money Deposit (EMD) amount through RTGS/NEFT in the PNGRB’s account given in the tender document are required to submit a copy of the receipt of the said transaction along with their other offline submissions i.e. physical as per clause 3 of ACBD.

1.3 The price of bid document is Rs. 5000/-, as mentioned in the Notice Inviting Tender, which the bidder may deposit through online modes and provide the details of the payment along with the other offline submissions as required under clause 3 of ACBD or may either submit a Demand Draft for the same.

1.4 The application fee mentioned at clause 1.3.1 of ACBD is for participating in the bidding process, which is as per PNGRB (Levy of Fee and Other Charges) Regulations, 2007.

1.5 For every bid, each document and every page is required to be stamped and signed by authorized person as required under clause 4 of Invitation for ACBD and has to be uploaded by the bidder.

1.6 Format for ‘letter of comfort’ as mentioned in clause G of Part I of Schedule C of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008 shall be same as for the promoter or holding company guarantee as given at Annexure 10 of ACBD.

1.7 The bid documents for a particular GA shall be physically signed by one Power of Attorney holder only.

### **2.0 Eligibility criteria and networth:**

2.1 In case of bidding by a consortium, MoU/JV agreement entered into by the members of the consortium shall clearly state the lead partner along with the extent of equity holding percentage in case of incorporation of a company as per the Regulation 5(6)(f) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008. Each qualifying criteria shall be met by atleast one of the members clearly indicating so in ACBD except for the networth which shall be dealt as per

Regulation 5(6)(e)(i) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

For example, in a consortium of X, Y and Z, the consortium shall clearly specify that which consortium member is meeting the particular qualification criteria. If the bidding entity mentions that the technical qualification under Regulations 5(6)(b) and 5(6)(c) is being met through X only and the qualification under Regulation 5(6)(e) for networth is being met through Y only then, the technical strength of X and networth of Y shall be evaluated for the purpose of qualifications under Regulations 5(6)(b) and 5(6)(c) and Regulation 5(6)(e) respectively. In such case, the technical qualification and networth of Z will not be considered.

2.2 Calculation of networth for requirement of qualification in the bid shall be governed by the Regulation 5(6)(e)(i) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

2.3 In case of a consortium/JV bid which gets itself registered as a company after being declared as successful bidder as per Regulation 5(6)(f) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, the calculation of networth of such entity shall be governed by Regulation 5(6)(f) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

2.4 In case, the bidding entity or any of the member of the consortium of the bidding entity has been authorized for more than one GA for development of CGD Network, then for the purpose of qualification under regulation 5(6)(b)(i) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, any one letter of authorization may be submitted.

2.5 In case an entity forms more than one JV/consortium, for example, X forms JV/consortium with Y (consortium C-1), and X forms another JV/consortium with Z (consortium C-2), then consortium C-1 & C-2 are not allowed to bid for the same GA. Further, if both these consortiums are declaring X as their financial partner, they have to mention clearly in the bid the portion of networth of X to be considered for C-1 and for similarly for C-2. For example, X has a networth of 100 crore, then, it has to be clearly mentioned by C-1 and C-2 that out of 100 crore networth, what portion is to be considered for C-1 and what portion is to be considered for C-2. In case the consortiums C-1 and C-2 have not declared the portion of X in C-1 and C-2, then the same shall be allocated accordingly in the order of sequence of GA in which the consortiums have submitted their bid.

### **3.0 General**

3.1 For the requirement of certificate from Chartered Accountant, as mentioned in Annexure 9 of ACBD, it is clarified that the bidder can submit the certificate from any practicing Chartered Accountant apart from Firm's own Chartered Accountant.

3.2 For the requirement of eligibility criteria under clause 1.3.4 of ACBD, if bidder is not the owner of hydrocarbon pipeline but constructed such hydrocarbon pipeline totalling to a length of not less than 300 km, such bidder is acceptable under clause 1.3.4 of ACBD, subject to the submission of work order and completion certificates.

3.3 For the purpose of qualification under regulation 5(6)(c)(iii) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, an appropriate technical assistance agreement between the bidding entity and the entity having atleast one year experience in operation and maintenance of CGD Network. Such experience should be the O&M of activities such as Compressor and CNG Stations or steel and MDPE pipeline network, or CGS station or metering stations or any other similar O&M activities of CGD Network.

3.4 As mentioned in clause 10 of ACBD, any entity, be a lead partner, minority partner or an equity holder, which is on a holiday list or blacklisted or banned by any PSU or Government agency in the last three years from the last date of submission of bid, then the bid from such bidder shall be summarily rejected.

3.5 Any change in equity structure of the authorized entity post award of the authorization shall be governed by Regulation 10 of the PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

3.6 As required in Schedule C, an indicative map is required to be submitted by the entity along with the bid for depiction of the proposed facilities of the GA. However, such map is only for the aforesaid purpose and shall not constitute in any manner for the authenticity of the boundaries or area of the GA. For reference purpose, bidders are requested to visit [www.bharatmaps.gov.in](http://www.bharatmaps.gov.in) which has link to the respective state GIS portals, which have been referred by PNGRB in addition to respective District Census handbook and respective district NIC websites for defining the district nomenclature and Charge Areas within them, wherever applicable.

3.7 The PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008 have been last amended vide Gazette Notification dated 07.09.2021. The copy of the same along with other previous amendments are available at [www.pngrb.gov.in](http://www.pngrb.gov.in). Bidders are requested to refer the PNGRB Act, 2006 and all the notified regulations along with their amendments before bidding.

3.8 CGD entities can lay sub transmission pipeline (STPL) as per the provisions of the PNGRB Act, 2006 and notified regulation thereunder. However, STPL falling outside the Geographical Area (GA) shall not be used by the authorized entity to supply natural gas to any customers outside its authorized GA.

3.9 All entities, including those registered outside the Republic of India which fulfil the eligibility criteria including technical and commercial eligibility criteria are eligible to participate in the bidding process. However, the entity on being declared as a successful bidder and not being a company registered under the Companies Act, 1956 or Companies Act, 2013

shall get itself registered as a company as required under Regulation 5(6)(f) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008.

3.10 For the requirement of the bidding criteria for number of CNG Stations to be installed by the entity, online as well as Daughter Booster Station shall be considered.

3.11 The current gas allocation policy of MoPNG is available at <http://petroleum.nic.in-naturalgas-policies-and-guidelines>. Domestic gas allocation and pricing for the same is beyond the purview of PNGRB.

3.12 As per the Regulation 5(8) of PNGRB (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, a period of 90 days has been allowed for submission of Application-cum-bid documents, which is 15<sup>th</sup> December, 2021 for 11<sup>th</sup> CGD Bidding Round. No extension shall be granted in the last date of submission of Application-cum-bid document.

3.13 For any other query related to the bid round, the same shall be covered as per the provisions of PNGRB Act, 2006 and notified Regulations made thereunder along with the provisions of the Application-cum-bid documents.

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