

Amendment –III Dated 11.12.2024 to NIT No. PNMM/PC-217/EOI/E-001/2024 Dated 12.09.2024

EXPRESSION OF INTEREST (EOI) FOR PRE-QUALIFICATION OF LICENSORS OF COAL GASIFICATION TECHNOLOGY FOR PROPOSED COAL TO SYNTHETIC NATURAL GAS (SNG) PLANT, AT BARDHAMAN, WEST BENGAL, INDIA

SL. NO.	REFERENCE OF BIDDING DOCUMENT				AMENDMENT TYPE M / D / A	MODIFICATION
	Part/Sec.	Page No.	Clause No.	Description as per EOI		
1.	Section-1	6 of 19	3.1.2	The Coal Gasification technology of the Licensor shall have at least one proven operating plant having one or multiple coal Gasifiers operating successfully on commercial basis with ash content of minimum 24% (at 60% RH & 40°C) and producing effective Syn gas exiting each Gasifier equivalent to minimum quantity of 40,000 NM³/hr , of H ₂ +CO. The Licensor shall provide details of at least one plant which has operated commercially, for a minimum period of 8000 hours of continuous operation in 12 months period at not less than 60% of design capacity of the Gasifiers, in the last 7 (seven) years reckoned from final bid due date.	M	The Coal Gasification technology of the Licensor shall have at least one proven operating plant having one or multiple coal Gasifiers operating successfully on commercial basis with ash content of minimum 24% (As Received Basis) and producing effective Syn gas exiting each Gasifier equivalent to minimum quantity of 37,500 NM³/hr , of H ₂ +CO. The Licensor shall provide details of at least one plant which has operated commercially, for a minimum period of 8000 hours of continuous operation in 12 months period at not less than 60% of design capacity of the Gasifiers, in the last 7 (seven) years reckoned from final bid due date.
2.	3.2 General	9 of 19	3.2.8	Licensor shall furnish details of the offered technology (Coal preparation to Clean Synthesis Gas) as per FORM-3.	M	Revised Form-3 enclosed

SL. NO.	REFERENCE OF BIDDING DOCUMENT				AMENDMENT TYPE M / D / A	MODIFICATION
	Part/Sec.	Page No.	Clause No.	Description as per EOI		
3.	Section-1	5 of 19	1.0	Based on the shortlisted licensor(s) for coal gasification, bids will be invited for executing the project on L STK basis. The Detailed Feasibility Report (DFR) will be finalized based on the price of the lowest LSTK bidder. Subsequently, a decision will be made to place the order with the lowest Lump Sum Turnkey (LSTK) bidder for the execution of the project.	M	<p>Based on the shortlisted licensor(s) for coal gasification, bids will be invited for executing the project on LSTK basis.</p> <p>After short listing through EOI, the details of shortlisted licensor shall be incorporated in the LSTK tender. LSTK bidder shall bid based on technology of any one of the selected licensor proposed JV of GAIL&CIL shall not enter into direct agreement with licensor through EOI.</p> <p>The Detailed Feasibility Report (DFR) will be finalized based on the price of the lowest LSTK bidder. Subsequently, a decision will be made to place the order with the lowest Lump Sum Turnkey (LSTK) bidder for the execution of the project.</p>

LEGEND:

M: MODIFICATION, A: ADDITION, D: DELETION,

Encl.: As Above

EXPRESSION OF INTEREST (EOI) FOR PRE-QUALIFICATION OF LICENSORS OF COAL GASIFICATION

TECHNOLOGY FOR PROPOSED COAL TO SYNTHETIC NATURAL GAS (SNG) PLANT, AT BARDHAMAN, WEST BENGAL, INDIA

Sl. No.	Reference of Bidding Document		Existing Clause	Amendment Type	Amended Clause
	Clause no	Subject / Heading		M/D/A	
SECTION-1_INVITATION FOR EXPRESSION OF INTEREST (EOI)					
4.	3.1.7	Technology/technical Criteria	New Clause added	A	3.1.7 Licensor, from a country which shares land border with India shall submit valid registration/waiver certificate. Licensor may submit Application Copy of submission & Acknowledgement receipt documents of Competent Authorities for evaluation of bids against EOI. However, a valid registration/waiver certificates required at the time of LSTK bid submission. (Bidder may refer enclosed as per Annexure-III according to land border)
5.	Annexure-III (Rev-1)	Clause regarding provision for procurement from a bidder which shares a land border with India.	New Clause added	A	12. SENSITIVE SECTORS/ TECHNOLOGIES: The sectors listed in Schedule I to this circular are considered Category-I sensitive sectors. The sectors listed in Schedule II to this Order are considered Category-II sensitive sectors. The technologies listed in Schedule III are considered sensitive technologies. For Category-I sensitive sectors, bidders with ToT arrangement in any technology with an entity from a country which shares a land border with India shall

Sl. No.	Reference of Bidding Document		Existing Clause	Amendment Type	Amended Clause
	Clause no	Subject / Heading		M/D/A	
					<p>require registration.</p> <p>For Category-II sensitive sectors, bidders with ToT arrangement in the sensitive technologies listed in Schedule III, with an entity from a country which shares a l and border with India shall require registration.</p> <p>In Category-II sensitive sectors, the Secretary (or an officer not below the rank of Joint Secretary to Government of India, so authorized by the Secretary) of the Ministry/ Department of the Government of India is empowered, after due consideration, to waive the requirement of registration for a particular item/ application or a class of items/ applications from the requirement of registration, even if included in Schedule III.</p> <p>The Ministry/ Department concerned shall intimate the Department for Promotion of Industry and Internal Trade (DPIIT) and National Security Council Secretariat (NSCS) of their decision to waive the requirement of registration. Ministries/ Departments of the Government of India are not required to consult the DPIIT/ NSCS before deciding and a re only required to intimate the decision to DPIIT/ NSCS. If any points raised by DPIIT/ NSCS, it should be c onsidered in future procurements; ongoing procurement for which the waiver was granted need not be interrupted or</p>

Sl. No.	Reference of Bidding Document		Existing Clause	Amendment Type	Amended Clause
	Clause no	Subject / Heading		M/D/A	
					<p>altered.</p> <p>Based on security considerations, a Ministry/ Department in a Category II sensitive sector or other Ministries/ Departments may recommend to DPIIT inclusion of any other technology in the list of Sensitive technologies, either generally or for their Ministry/ Department.</p> <p>[Note: "Specified Transfer of Technology" means a transfer of technology in the sectors and/ or technologies, specified above, occurring on or after 23.07.2020.]</p>

M: MODIFICATION, A: ADDITION, D: DELETION

Note: The clauses in Amendment shall take precedence/superseded over all other pre bid replies against the respective clause.

TECHNICAL DETAILS OF OFFERED TECHNOLOGY
(Refer Clause-3.2.8 of Invitation for EOI)

SL. NO.	ITEM	UNIT	QUANTITY	VALUE
1.	No. of Gasifiers Proposed	No. (Operating + Standby)		
2.	Coal Feed to each Gasifier with moisture content	MT/day		
3.	Oxygen /Air Requirement to Gasification	Nm ³ /hr, in case of O ₂ , O ₂ Purity in Vol%		
4.	Steam Requirement, (Steam Temp., Steam Press.)	MT/hr, (degC, Kg/cm ² g)		
5.	Water Requirement	MT/hr		
6.	Power Requirement	MW		
7.	Total Raw Syn. Gas Generation at exit of Gasifiers	1000 Nm ³ /hr		
8.	Total clean syn. Gas (H ₂ +CO) generation after purification	1000 Nm ³ /hr		
9.	% Ash considered in gasifier feed for above estimation	%		
10.	The quantity of raw coal in consumption in Metric tonnes per day (MTPD),	MTPD		
11.	Quantity of ash produced by the process for production of the quantity of syn gas stated at Cl. No. 2.1 of section-1, in MTPD and the approximate chemical composition of the ash likely to be produced in their technology.	MTPD		
12.	Details of each By-product			
13.	Any other data			

Annexure-III (Rev-1)

**CLAUSE REGARDING PROVISION FOR PROCUREMENT FROM A BIDDER
WHICH SHARES A LAND BORDER WITH INDIA**

1. OM no. 7/10/2021-PPD(1) dated 23.02.2023, Department of Expenditure, Ministry of Finance, Govt. of India refers. The same are available at website <https://doe.gov.in/procurement-policy-divisions>.
2. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. For details of competent authority refer to Annexure I of Order (Public Procurement no. 4) dated 23.02.2023.

Further, any bidder (including bidder from India) having specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India, shall also require to be registered with the same competent authority.

Further the above will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects. Updated lists of countries to which lines of credit have been extended or in which development projects are undertaken are given in the website of the Ministry of External Affairs, Govt. of India

3. **"Bidder"** (including the term 'tenderer', 'consultant' 'vendor' or 'service provider' in certain contexts) **for purpose of this provision** means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency, branch or office controlled by such person, participating in a procurement process.
4. **"Bidder from a country which shares a land border with India"** for the purpose of this:
 - a. An entity incorporated, established or registered in such a country; or
 - b. A subsidiary of an entity incorporated, established or registered in such a country; or
 - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
 - d. An entity whose beneficial owner is situated in such a country; or
 - e. An Indian (or other) agent of such an entity; or
 - f. A natural person who is a citizen of such a country; or
 - g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above



5. **"Beneficial owner"** for the purpose of above (4) will be as under:

- i. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person(s), has a controlling ownership interest or who exercises control through other means.
Explanation—
 - a) "Controlling ownership interest" means ownership of, or entitlement to, more than twenty-five per cent of shares or capital or profits of the company;
 - b) "Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
- ii) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
- iii) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
- iv) Where no natural person is identified under (i) or (ii) or (iii) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
- v) In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

6. **"Agent"** for the purpose of this Order is a person employed to do any act for another, or to represent another in dealings with third persons

Note :

- (i) A person who procures and supplies finished goods from an entity from a country which shares a land border with India will, regardless of the nature of his legal or commercial relationship with the producer of the goods, be deemed to be an Agent for the purpose of this Order.



- (ii) However, a bidder who only procures raw material, components etc. from an entity from a country which shares a land border with India and then manufactures or converts them into other goods will not be treated as an Agent.]

7. **"Transfer of Technology"** means dissemination and transfer of all forms of commercially usable knowledge such as transfer of know-how, skills, technical expertise, designs, processes and procedures, trade secrets, which enables the acquirer of such technology to perform activities using the transferred technology independently. (Matters of interpretation of this term shall be referred to the Registration Committee constituted by the Department for Promotion of Industry and Internal Trade, and the interpretation of the Committee shall be final.)

8. **"Specified Transfer of Technology"** means a transfer of technology in the sectors and/ or technologies, specified at Schedule-I, II & 3 of this order.

9. **SUBMISSION OF CERTIFICATE IN BIDS:**

Bidder shall submit a certificate in this regard as Form-I-A.

For cases falling under the category of Transfer of Technology, Bidder shall submit a certificate in this regard as Form-I-B.

If such certificate given by a bidder whose bid is accepted is found to be false, this would be a ground for immediate rejection of the bid/termination and further action as per "Procedure for Action in case of Corrupt/Fraudulent/ Collusive / Coercive Practices" of tender document.

10. The registration, wherever applicable, should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance / placement of order, registration shall not be a relevant consideration during contract execution.

11. **PROVISION TO BE IN WORKS CONTRACTS, INCLUDING TURNKEY CONTRACTS:**

The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. The definition of "contractor from a country which shares a land border with India" shall be as in Para 4 herein above. A Certificate to this regard is to be submitted by bidder is placed at Form-II.

[Note: Procurement of raw material, components, etc. does not constitute sub- contracting]

Form-I-A

UNDERTAKING ON LETTERHEAD

To,

M/s GAIL (INDIA) LIMITED

SUB:

TENDER NO:

Dear Sir

We have read the clause regarding Provisions for Procurement from a Bidder which shares a land border with India, we certify that, bidder M/s _____ (*Name of Bidder*) is :

- (i) Not from such a country []
- (ii) If from such a country, has been registered []
with the Competent Authority.
(Evidence of valid registration by the
Competent Authority shall be attached)

(Bidder is to tick appropriate option (✓) above).

We hereby certify that bidder M/s _____ (*Name of Bidder*) fulfills all requirements in this regard and is eligible to be considered against the tender.

Place:

Date:

[Signature of Authorized Signatory of Bidder]

Name:

Designation:

Seal:



Form-I-B

UNDERTAKING ON LETTERHEAD
(Applicable in case of Transfer of Technology cases only)

To,

M/s GAIL (INDIA) LIMITED

SUB:

TENDER NO:

Dear Sir

We have read the clause regarding Provisions for Procurement from a Bidder having Transfer of Technology (ToT) arrangement which shares a land border with India, we certify that, bidder M/s _____ (*Name of Bidder*) is :

- (i) Does not have ToT with such a country []
- (ii) If having ToT from such a country, has been registered []
with the Competent Authority.
(Evidence of valid registration by the
Competent Authority shall be attached)

(Bidder is to tick appropriate option (✓) above).

We hereby certify that bidder M/s _____ (*Name of Bidder*) fulfills all requirements in this regard and is eligible to be considered against the tender.

Place:

Date:

[Signature of Authorized Signatory of Bidder]

Name:

Designation:

Seal:



Form-II

**CERTIFICATE FOR TENDERS FOR WORKS INVOLVING POSSIBILITY OF
SUB-CONTRACTING**

To,

M/s GAIL (INDIA) LIMITED

SUB:

TENDER NO:

Dear Sir

We have read the clause regarding Provisions for Procurement from a Bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries; we certify that, bidder M/s _____ (*Name of Bidder*) is:

- (i) not from such a country []
- (ii) if from such a country, has been registered []
with the Competent Authority.
(Evidence of valid registration by the
Competent Authority shall be attached)

(Bidder is to tick appropriate option (✓) above).

We further certify that bidder M/s _____ (*Name of Bidder*) will not sub-contract any work to a contractor from such countries unless such contractor is registered with the Competent Authority.

We hereby certify that bidder M/s _____ (*Name of Bidder*) fulfills all requirements in this regard and is eligible to be considered.

Place:

Date:

[Signature of Authorized Signatory of Bidder]

Name:

Designation:

Seal:



Schedule I**List of Category-I Sensitive sectors:**

Sr. No.	Sector
(i)	Atomic Energy
(ii)	Brocasting/ Print and Digital Media
(iii)	Defense
(iv)	Space
(v)	Telecommunications

Schedule II**List of Category-II Sensitive sectors:**

Sr.No.	Sector
(i)	Power and Energy (including exploration/ generation/transmission/ distribution/ pipeline)
(ii)	Banking and Finance including Insurance
(iii)	Civil Aviation
(iv)	Construction of ports and dams & river valley projects
(v)	Electronics and Microelectronics
(vi)	Meteorology and Ocean Observation
(vii)	Mining and extraction (including deep sea projects)
(viii)	Railways
(ix)	Pharmaceuticals & Medical Devices
(x)	Agriculture
(xi)	Health
(xii)	Urban Transportation



Schedule III**List of Sensitive Technologies:**

Sr.No.	Sensitive Technologies
(i)	Additive Manufacturing (e.g. 3D Printing)
(ii)	Any equipment having electronic programmable components or autonomous systems (e.g. SCADA systems)
(iii)	Any technology used for uploading and streaming of data including broadcasting, satellite communication etc.
(iv)	Chemical Technologies
(v)	Biotechnologies including Genetic Engineering and Biological Technologies
(vi)	Information and Communication Technologies
(vii)	Software