



CORE-1, SCOPE COMPLEX, 7, INSTITUTIONAL AREA, LODI ROAD NEW DELHI - 110 003, INDIA

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NOTICE INVITING EXPRESSION OF INTEREST (EOI)
FOR EMPANELMENT OF FOREIGN SUPPLIER(S) OF STEEL SCRAPS

NO. MMTC/STEEL/EOI/FS/SCRAP/2019-20/01 DT.10TH APRIL 2019

MMTC INVITES “EXPRESSION OF INTEREST (EOI)” FROM ESTABLISHED FOREIGN SUPPLIERS FOR IMPORT OF STEEL SCRAPS AT INDIAN PORTS. THE LAST DATE FOR SUBMISSION OF EOI IS BY 1430 HRS ON 9TH MAY 2019.

THE COMPLETE DETAILS OF THE TENDER ARE AVAILABLE AT MMTC’S WEBSITE WWW.MMTCLIMITED.COM AND GOVT. WEBSITE [HTTP://EPROCURE.GOV.IN](http://EPROCURE.GOV.IN). CORRIGENDUM ISSUED, IF ANY, WILL BE HOISTED ON ABOVE WEBSITES ONLY.

GENERAL MANAGER (STEEL)

TERMS AND CONDITIONS OF THE EXPRESSION OF INTEREST (EOI)

1. INTRODUCTION:

MMTC Limited is a Govt. of India Enterprise under Ministry of Commerce & Industry is one of the largest trading companies of India having its registered office at Scope Complex, Core-1, 7-Institutional Area, Lodhi Road, New Delhi-110 003 (hereinafter called MMTC). MMTC as the canalized agency for export of Iron ore, Manganese ore & Chrome ore and continues to be a leader in mineral exports for over five decades now. MMTC is also one of the canalizing agencies for import of urea. Presently, MMTC is one of the nominated agencies designated by Government of India for import of Bullion. The company engaged in international and domestic trading of commodities, which include Minerals, Precious metals, Non-Ferrous metals, Steel, Power, Fertilizer & Fertilizer raw materials, Coal & Hydrocarbon, Agro commodities and General trade. Its vast international trade network, which includes a wholly owned subsidiary in Singapore, covers almost all countries in Asia, Europe, Africa, America etc. giving MMTC global market coverage. With its comprehensive infrastructural set up to handle minerals, the company provides full logistic support from procurement, quality control to guaranteed timely deliveries of minerals from different ports, through a wide network of its regional and port offices in India

MMTC is an independent legal entity with power and authority to enter into contracts solely on its own behalf under applicable Laws of India and general principles of contract Laws. MMTC has a strong nation-wide presence with offices covering all the major port towns in India with deployment of highly skilled and experienced manpower across the country to provide quick and quality services to its clientele. With the 'state of art' wide area network providing on-line information exchange throughout the country through ERP, the company has capability to pro-actively source items surplus to domestic demand for exports from India and also to co-ordinate the demand of domestic users for import.

MMTC invites "EXPRESSION OF INTEREST (EOI)" from reputed foreign suppliers with past experience engaged in supply/Export of HMS-1&2, Shredded & Stainless Steel scraps for import of Heavy melting scrap-1&2, Shredded & Stainless Steel scraps at Indian ports. MMTC is interested to shortlist reputed foreign suppliers willing to supply HMS -1&2, Shredded & Stainless Steel scraps at a competitive price on regular basis both through container and on break-bulk basis at Indian Ports for sale in domestic market preferably to actual users.

MMTC reserves the right to invite open tenders for import of Heavy melting scrap-1&2, Shredded & Stainless Steel scraps and empanelled suppliers under the Eoi will have no precedence or rights over such tenders. The empanelled suppliers under the Eoi can also participate in such tenders.

2. MATERIAL QUALITY:

MMTC imports quality material, conforming to international specification. Customers of MMTC include institutional buyers, who have stringent quality norms for accepting the materials. Quality certificate from supplier/s is essentially a part of MMTC's purchase contract.

For supply of various Steel Scraps to various Indian companies (hereinafter called as Customer), MMTC hereby invites Expression of Interest (EOI) from prospective Associate Suppliers (hereinafter called as Supplier) as per following categories:

- a) HMS -1 & 2 (80:20) Scrap (preferably under US ISRI codes 200 - 206)**
- b) Shredded Scrap (preferably under US ISRI codes 210 & 211)**
- c) Stainless Steel Scrap (preferably AISI type - 304 & 430 grade)**

Those suppliers who are interested to be empanelled with MMTC and meet the below specified EOI criteria's may apply by furnishing full details as per **Annexure-I**.

3. PRE-QUALIFICATION CRITERIA FOR SELECTION AS A PROSPECTIVE SUPPLIER:

The supplier/applicant has to submit the following documents/ details in order to be considered for the empanelment process:

- a) Brief details/Corporate Profile of the company.
- b) The foreign supplier should have more than one year of supplying/export experience in the scrap (i.e. HMS -1 & 2 Scrap, Shredded Scrap& Stainless Steel Scrap) for which the application is being made. Details of Steel Scraps handled and quantum of business done globally and into India through both Break Bulk and Containerized during last one year.
- c) Enclose latest Annual Financial statement and Auditor's certificate indicating (i) annual turnover (ii) net worth as on last annual balance sheet and (iii) past experience.
- d) Bidders shall enclose a latest Bank reference report.
- e) Should accept to abide all terms and conditions for import of scraps as laid down by Govt. of India from time to time.
- f) The prospective Supplier shall submit a satisfactory Credit Rating Report from any of the International Credit Rating agencies (Dun & Bradstreet, Moody's, Standard& Poor) credit rating certificate with rating "FAIR" or above and **it should not be older than one year on the date of submission of EoI.**
- g) The prospective supplier should not have been blacklisted / banned for participation in Tender by Government of India or by any Government Undertaking for supply of Steel Scrap or otherwise in India. The supplier shall have to submit an **UNDERTAKING** to this effect at the time of application for pre-qualification as well as each time while participating in a Tender. In case of submission of false declaration (found at any stage), such supplier shall be disqualified.
- h) Copy of document like Certificate of Incorporation duly self-attested.
- i) Board Resolution/ letter from partners authorizing all or any one of the Directors/Partners to sign the documents.
- j) Registration with appropriate authority for exporting scrap to India.

In case applicant is not able to submit the Credential Report along with EOI documents, applicant/s shall submit an undertaking to the effect that the requisite documents will be submitted at the earliest.

4. **SCOPE OF WORK:**

- a) Scrap item(s) as defined above, may be procured by MMTC Limited, New Delhi, through empanelled applicant(s), subject to mutually acceptable terms and conditions on shipment to shipment basis. Once the empanelment process is over, selected applicant(s) shall be communicated in writing, followed by signing of MoU between MMTC Limited and the empanelled applicant(s). However, MoU shall not be a binding for MMTC Limited to procure goods from the empanelled applicant(s) for award of work.
- b) As and when the requirement arises, the goods shall be procured by MMTC Limited through limited tender process etc. through the empanelled applicant(s) by award of work as per the Company approved procedures/criteria.
- c) The Supplier shall submit earnest money deposit (EMD) at the time of participation in tender and consequent upon award of the contract, supplier shall submit a performance guarantee (PBG) for fulfill the contractual obligation as per the format prescribed by MMTC Limited for certain percentage of contract value, at the sole discretion/decision of MMTC Limited. No interest will be payable on Emd amount. The supplier shall have to submit an UNDERTAKING to this effect at the time of EOI application.
- d) The sale to Customer would be on High Sea Sale Basis/stock and sale basis. The basic terms of order received by MMTC from Customer shall mutatis mutandis apply in the back-to-back contract to be finalized between MMTC and the Supplier.
- e) It is to be expressly understood and agreed by the prospective Supplier that MMTC shall be making the purchases on behalf of its Customers. In case any deductions are made from the bills of MMTC by its Customers on account of deviations in the specifications or due to short-landing at discharge port vis-à-vis Bill of Lading Quantity, the amount will be reimbursed by the Supplier.
- f) MMTC also imports metals with split Bill of Lading to cater to the need of small customers who want to buy on high-seas basis.

- g) Despatch/ demurrage in case of load port for FOB shipments and discharge port in case of C&FFO shipments as settled by the MMTC, NEW DELHI shall be binding on the Supplier.
- h) The selected applicants will form part of MMTC's panel which will act as backup suppliers for MMTC Limited. MMTC expects to regularly execute contracts of supply with its panel of suppliers on CIF/C&F/CFR/FOB basis for discharge port (Indian).
- i) The prices and commercial terms will be decided subsequently with the empanelled suppliers.
- j) The selected supplier(s) shall ensure compliance of all the Government regulations/ conventions/ policies/ guidelines/ orders etc., in force related to any or all of the above activities and shall undertake to abide by the statutory requirements of the Indian Government from time to time.

5. SUBMISSION OF EXPRESSION OF INTEREST:

- a) The EoI document can be downloaded from our website www.mmtclimited.com or the Government e-procurement portal www.eprocure.gov.in. The same can also be obtained from General Manager (Steel), MMTC Limited, Core 1 Scope Complex, 7, Institutional Area, Lodhi Road, New Delhi 110 003.
- b) Authorized representative of the Supplier(s) should provide copy of authorization letter to sign the documents.
- c) Those suppliers who are interested to be empanelled with MMTC and meet the specified criteria may apply with full details, indicating
 - i. Full name and postal address of the company.
 - ii. Name and designation of authorized official to deal with.
 - iii. Details about Applicants Banker like complete address and contact details.
 - iv. In case of trader, details of supplier whose material would be offered.
Typical specification of the material and brands that would be offered.
- d) It would be preferred that applications for separate category(HMS-1&2 or Shredded or Stainless Steel scrap) be submitted in separate envelopes.

- e) The Eol documents must be duly signed on all the pages as a token of acceptance of all the terms and conditions.
- f) The Eol has to be submitted in the box kept at **MMTC Limited, Corporate office, 3rdFloor, Steel Division, Core 1, Scope Complex, 7, Institutional Area, Lodhi Road, New Delhi- 110003.**
- g) Applications received after the due date and time due to any postal delay will not be considered.
- h) Applications incomplete in any form or misstating the facts will be summarily rejected.

6. GENERAL TERMS AND CONDITIONS:

- a) It may be noted that this EOI is only for supply of steel scraps (HMS-1&2 or Shredded or Stainless Steel) to Indian port.
- b) MMTC reserves the right to accept or reject any/all offer of Expression of Interest without assigning any reason whatsoever.
- c) Final selection of Suppliers, for each of the stated items from the Eols received will be done at the discretion of MMTC and the decision of MMTC will be final and binding on all participating parties.
- d) Empanelment of suppliers by MMTC does not entail any commitment from MMTC for contracts during the validity of empanelment.
- e) MMTC is not bound contractually or in any other way to any prospective supplier to this Eol. MMTC is also not liable for any cost or compensation incurred by the bidders to this Eol.
- f) Validity of empanelment under this Eol shall be for duration of one year from the date of acceptance by MMTC, which may be renewed on basis of performance of the party, at the sole discretion of MMTC. Validity of Eol can also be terminated by MMTC at its sole discretion.
- g) Ownership of Eol documents and information therein (all Eol documents) shall be property of MMTC on submission. Where the prospective supplier wants the information provided to be kept confidential as such disclosure would unreasonably affect suppliers business affairs, notice is to be given at the time of delivery of information or documents by making such information "Confidential". In so far as possible, MMTC will give effect to the prospective suppliers stated wishes and access to such information will be determined under provisions of Right to Information (RTI) Act 2005.
- h) MMTC is in no way bound to limit its business enquiry/ circulars to empanelled suppliers only.

- i) The applicant/foreign supplier shall be asked to sign an Integrity Pact in case the value of the Contract exceeds Rs 20 Crores.
- j) The empanelled applicant(s) can also be asked to furnish any additional information from time to time without assigning any reasons thereof.
- k) The applicant(s) must specify and inform while making application with respect to their inability to provide for any document in terms of Expression of Interest (EOI); and enclose the deviation sheet giving reasons for non-submission of any particular document.

7. NO CONTRACTUAL OBLIGATION:

MMTC is not bound contractually or in any other way to any prospective Supplier to this Expression of Interest. MMTC is not liable for any costs of compensation in relation to the consideration of this Expression of Interest or any Expression of Interest, incurred by the prospective Supplier to this Expression of Interest whether or not MMTC terminates, varies, or suspends the Expression of Interest process or takes any other action permitted under this Expression of Interest, including consideration of concepts proposed in future developments.

8. SHORT LISTING OF ASSOCIATE SUPPLIERS:

Prospective Supplier who qualifies as empanelled manufacturers/suppliers to MMTC would be individually notified after the evaluation process of empanelment is complete.

9. DISCLAIMER:

The issue of this document does not in any way commit or otherwise obliges MMTC to proceed with all or any part of an EOI process. The EOI Request is not the subject of any process contract or any contractual obligations between MMTC and prospective Supplier. MMTC may, at its absolute discretion, elect to abandon any part or whole of the process without giving prior notice to the prospective suppliers.

GENERAL MANAGER (STEEL)

EMPANELMENT FORMAT (TO BE FILLED UP) BY PROSPECTIVE ASSOCIATE SUPPLIERS

1.	NAME OF Steel Scraps / ITEMS for which empanelment is requested	Please mark (√) on the items of interest from the followings : I. HMS -1 & 2 (80:20) Scrap (preferably under US ISRI codes 200 – 206) <input type="checkbox"/> II. Shredded Scrap (preferably under US ISRI codes 210 & 211) <input type="checkbox"/> III. Stainless Steel Scrap (Preferably AISI type – 304 & 430 grades) <input type="checkbox"/>			
	(a) Specifications of Steel Scraps/items	Please attach separate sheet for each Steel Scraps/items			
	(b) Quantity supplied (Self- certification to be attached)	In India		Outside India	
		Steel Scraps/ items name	Quantity supplied	Steel Scraps/ items name	Quantity supplied
2.	(a) Name and address of Supplier Year of Establishment				
	(b) Name of contact person(s)				
	(c) Telephone No(s).				
	(d) Fax No(s)				
	(e) E-mail id(s)				
3.	Attach supporting documents such as:	Attached		Not Attached	
	(i) Supporting documents of supplier such as Company Brochure, Latest Balance sheet, ISO or other accreditation certificates (if any), Registration certificates with various tax authorities or Government Departments, etc				
	(ii) Bank Reference Certificate including Applicant Banker's complete address and contact details.				
	(iii) Credit rating agency report				
	(iv) Separate Annexure by Self certifying the quantity & quality supplied in support Sr. No 1. (b) above				
	(v) Acceptance of All terms and conditions specified in EOI.				
	(vi) In case of trader/supplier, attach original authorization /support letter from Principals specific to this EOI				
4.	Has the company been black listed / banned by any Government Undertaking from participating in any tenders for supply scraps				
5.	Whether blacklisted / banned on the date of application				

Certified that the above information is true and we confirm that all information given in the Expression of Interest are correct and if at any point of time the information is found to be incorrect our EOI will be liable for rejection by MMTC.

Date : _____

Signatures: _____

Place : _____

Name & Designation _____

(ON COMPANY'S LETTER HEAD)

ANNEXURE II

To,
The MMTC Limited
Scope Complex, Core-1,
7-Institutional Area, Lodhi Road,
New Delhi-110 003

SUBJECT: UNDERTAKING

Dear Sir,

We, _____(Name of the Organization), hereby confirm and acknowledge that we have not been blacklisted/banned for participation in Tender by Government of India or by any Government Undertaking in India for supply of steel scraps or otherwise.

Thanking you,

Yours faithfully

Name and Signature of the Authorized Person

Date: _____2019

(ON COMPANY'S LETTER HEAD)

ANNEXURE III

To,
The MMTC Limited
Scope Complex, Core-1,
7-Institutional Area, Lodhi Road,
New Delhi-110 003

SUBJECT: UNDERTAKING

Dear Sir,

We hereby agree and undertake that we shall submit earnest money deposit (EMD) at the time of participation in tender and consequent upon award of the contract, we shall submit a performance guarantee (PBG) to fulfill the contractual obligation as per the format prescribed by MMTC Limited.

We hereby agree and undertake that we shall submit a Credential Report / Auditor's Certificate/ Bank reference report at the earliest.

Thanking you,

Yours faithfully

Name and Signature of the Authorized Person

Date:_____2019