



**ADDENDUM NO.1 dated 15.10.2019** to

Tender No.MMTC / PRO - EOI / 2018 / 004 dated 15.10.2018 for Invitation for Expression of Interest ( Eoi ) for **Continuous Empanelment** of Supporting Manufacturer for all Engineering Products & Turn Key Projects involving design, supply and commissioning located in India and Overseas through MMTC.

Please note that off-line applications received till **15<sup>th</sup> of every month** shall be considered for evaluation. After completion of all formalities, eligible applicants would be empanelled with MMTC for a period of ( 3 ) Three years.

This invitation shall be kept opened for **one year i.e. till October 2020.**

1. All terms and conditions remain unchanged.

( Dy.Manager )  
MMTC Limited



Core-1, Scope Complex, 7 Institutional Area, Lodhi Road, New Delhi-110 003 (INDIA)

Phone No. +91 11 24362200, Fax +91 11 24364105

PAN NO.AAACM1433E

**CIN L51909DL1963GOI004033**

Invitation for Expression of Interest ( Eoi ) for **Continuous Empanelment** of Supporting Manufacturer for all Engineering Products & Turn Key Projects involving design, supply and commissioning located in India and Overseas through MMTC.

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**Closing At 1500 Hrs ( IST ) on 15.10.2019**

*COPY OF Eoi DOCUMENT CAN BE DOWNLOADED FROM WEB SITES:*

[www.mmtclimited.com](http://www.mmtclimited.com)

<http://eprocure.gov.in>

<https://mmtc.abcprocure.com>



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MMTC / PROJ – EOI / 2018 / 004

15<sup>th</sup> October, 2018

Invitation for Expression of Interest for **Continuous Empanelment** of Supporting Manufacturer for all Engineering Products & Turn key Projects involving design, supply and commissioning located in India and Overseas through MMTC.

MMTC invites Expression of Interest for Continuous Empanelment of Manufacturers having the facility to provide supply of Engineering equipment and Turn key Projects involving design , supply, installation and commissioning for supply to various projects as above mentioned located in India and Overseas.

MMTC is a Government of India Enterprise under the administrative control of Department of Commerce. For participation in various Tenders / Enquiries related to above subject , MMTC intends to increase the supply base of reputed manufacturers who can provide complete range of services in Domestic and International Markets.

Those manufacturers **who have applied** under MMTC's tender No. MMTC/PROJ-EOI/2018/002 dt 18.07.2018 and MMTC PROJECTS-EOI/2018/003 dated 14.08.2018, **need not apply**.

**1. Pre qualification criteria:**

Interested bidders who are manufacturers, have to submit the following documents / details in order to be considered for the empanelment process:

- i) Brief details of the company including products manufactured and installed capacity. **Annexure I and Index as Annexure -1 ( a )**.
- ii) The bidder should have minimum 3 years experience in his respective field of manufacturing / design, implementation and commissioning of Engineering equipment / Projects ( to be specified by the Bidder ) . Accumulated minimum supply of orders valuing Rs. 100 crores is required to be fulfilled by the bidder in the last 3 years. Certificate issued by a practicing Chartered Accountant duly signed and stamped along with his registration number should be enclosed.
- iii) Annual report of the company for the past 3 years. The bidder should be a profit making entity and financially sound.

- iv) Companies registered with Indian Government Companies / Foreign Government entities as eligible suppliers shall be preferred.
- v) Supplier to submit D&B report to submit their credit rating report by Dun & Bradstreet / S&P / Moody's / ICRA / CRISIL / CARE or equivalent credit rating report. Such rating shall be satisfactory or better and the report should be issued which is dated not earlier than 01.09.2018. If credit rating report is not available for submission by the date of submission, additional 15 days' time is allowed for compliance. Without Credit Rating Report the application will not be considered for Empanelment.
- vi) Company Catalogue, Product literature and Brochures. ISO certification
- vii) Copy of documents like Certificate of incorporation, Memorandum of Association, copy of the license etc. duly self attested.
- viii) Bank certificate from Scheduled Bank on credit worthiness and dealings with details regarding Overdraft / Credit / BG / LC limit and its utilization / availment etc.
- ix) Board resolution / letter from the partners authorizing all or any of the Directors/partner to sign the documents.
- x) Affidavit ( as Annexure – II ) to the effect that the bidder has not been black listed by any Government agencies/State agencies / MMTC as on date.

## **2. Scope of work**

- i) The selected applicants will form part of MMTC's panel who will act as a backup supplier for MMTC Limited.
- ii) MMTC would be participating in the various Overseas tenders as well as domestic tenders for supply of engineering equipment and Projects.
- iii) Prior to submission the offer to the Project Authority inviting tender, MMTC will decide on the back up supplier amongst the panel created.
- iv) The selected bidder shall ensure compliance of the tender condition.
- v) The bidder shall also undertake to abide by the statutory requirement of the Indian Government from time to time.
- vi) As there would be a limitation on the number of bidders from the panel to be created for participation in tender / enquiry, the selection of ultimate bidder from panel created would be on the basis of technical and commercial competency of the bidder and past performance and the decision of MMTC shall be final and binding.

## **3. Submission of Expression of Interest**

- i) The EOI document can be downloaded from the MMTC's website [www.mmtclimited.com](http://www.mmtclimited.com).
- ii) The EOI application has to be submitted in the Projects Division of MMTC at 3<sup>rd</sup> floor, MMTC Limited, Core-1, SCOPE Complex, 7, Institutional Area, Lodhi Road, New Delhi-110003 and an acknowledgement should be obtained.
- iii) All applications received till 15<sup>th</sup> of every month shall be considered for evaluation. After completion of all formalities, eligible applicants would be empanelled in MMTC for a period of ( 3 ) Three years. Applicants may note that evaluation and other formalities of empanelment may take about 2 ( two ) months' time.
- iv) Application received through FAX & email will not be entertained.

- v) Application incomplete in any form or mis-statement of facts will be rejected.
  - vi) It will be preferable if the application for separate products be submitted in separate envelopes.
4. The supplier shall accept all the terms & conditions of the project authority / importer and in case of order shall, on back to back basis deliver the said products and commodities to the customer / importer in the manner required at the nominated destination. The payment shall be made to the supplier after the receipt of the same from the project authority.

**5. Place for submission of Expression of Interest:**

The Expression of Interest should be addressed to Shri N. Vijaya Kumar, Dy. Manager, 3<sup>rd</sup> floor, MMTC Limited, Core -1, SCOPE Complex, Lodhi Road, New Delhi-110003 and is to be submitted along with **duly filled in and duly indexed with Annexures – ( I ), ( I – A ) &( II )** and **enclosures**.

**6. General Terms & Conditions:**

- i) MMTC reserves the right to accept or reject any offer of EOI without assigning any reason whatsoever.
  - ii) Final selection of supporting manufacturer from the EOI received will be done by MMTC at its sole discretion and the decision of the MMTC shall be final and binding on the empanelled parties.
  - iii) Selection in the panel at no point of time guarantees any award of work by MMTC through this empanelment and the supplier who fails to get the opportunity shall not have any right to claim any damages whatsoever against MMTC.
7. The bidder may clearly note that the terms & conditions enumerated for this EOI which only illustrate and not exhaustive. The chosen supporting manufacturer from the panel will have to enter into separate contract / s detailing the terms and conditions.
8. The prospective supporting manufacturer / bidder can also be asked to furnish additional information / confirmation in connection with verification of the documents submitted by the supplier if deemed necessary.
9. Additional information Corrigendum / Addendum regarding EOI process shall be posted on MMTC website [www.mmtclimited.com](http://www.mmtclimited.com)
10. Ownership of EOI document and information therein of EOI documents will become the property of MMTC upon submission. Whether the prospective bidder believes that information provided in response to this EOI is or shall be kept confidential or disclosure of this information would unreasonably affect supplier's business affairs, notice is to be given at the time of delivery of the information or documents by clearly marking such information as "confidential". In order to practicable MMTC will give effect to the prospective bidder stated wishes and request for access to such information will be determined under the RTI Act.

**11.No Contractual obligation**

MMTC is not bound contractually or in any other way to any prospective supplier to this EOI. MMTC is not liable for any cost or compensation in relation to the consideration of this EOI or any EOI, incurred by the prospective supplier to this EOI whether or not MMTC terminates, varies or suspends the EOI process or take any other action permitted.

## **12. Short listing of Eoi applications:**

Prospective bidders who qualify as associate to MMTC , would be individually notified after the evaluation process is complete. The validity of the EOI shall be for a period of ( 3 ) three years from the date of acceptance by MMTC which shall be renewed by a further period of one year at the sole discretion of MMTC.

13. MMTC reserves the right to add / delete in this list of Empanelled Associates at its sole discretion.

## **14. Disclaimer**

Issue of this document does not in any way commit or otherwise oblige MMTC to proceed with all or any part of the EOI processed. The EOI request is not the subject of any processed contract or any contractual obligation between MMTC and the prospective bidder. MMTC may at its absolute discretion, elect to abandon any part or whole of the process without giving prior notice to the prospective bidder.

## **15. FRAUD PREVENTION**

(1) Commitments of the Bidder(s) / Contractor(s) / Buyer(s) / Vendor(S):

The Bidder(s) / Contractor(s) / Buyer(s) / Vendor(S) shall be bound to take all measures necessary to prevent Fraud and Corruption while dealing with MMTC. They agree and undertake to observe the principles/ provisions as laid down in "Fraud Prevention Policy" of MMTC (full text of which is available on MMTC's website at <http://mmtclimited.com> during their participation in the tender process, during the execution of contract and in any other transaction with MMTC.

(a) The Bidder(s)/Contractor(s)/Buyer(s)/Vendor(S) shall not, directly or through any other person or firm, offer, promise or give or otherwise allow any of MMTC's employees any material or other benefit which he/she is not legally entitled to, in order to obtain in exchange any advantage of any kind whatsoever during the tender process or during the execution of the contract.

(b) The Bidder(s)/Contractor(s)/Buyer(s)/Vendor(S) shall not enter with other Bidders into any undisclosed agreement or understanding, whether formal or informal. This applies in particular to prices, specifications, certifications, subsidiary contracts, submission or non-submission of bids or any other actions to restrict competitiveness or to introduce cartelization in the bidding process.

(c) The Bidder(s) / Contractor(s) / Buyer(s) / Vendor(s) shall not commit or allow any employees of MMTC to commit any offence under the relevant provisions of IPC/Prevention of Corruption Act; further the Bidder(s)/Contractor(s) Buyer(s)/Vendor(S) will not use improperly or allow any employee(s) of MMTC, for purposes of competition or personal gain, or pass onto others , any information or document provided by MMTC as per of

the business relationship, including information contained or transmitted electronically.

(d) The Bidder(s)/Contractor(s)/Buyer(s)/Vendor(S) shall not instigate third persons to commit offences/activities outlined in Fraud Prevention Policy or be an accessory to such offences.

(e) The Bidder(s)/Contractor(s)/Buyer(s)/Vendor(S) if in possession of any information regarding fraud/suspected fraud, hereby agree and undertake to inform MMTC of same without any delay.

(2) Disqualification from tender process and exclusion from future contracts: If the Bidder(s)/Contractor(s), before award or during execution has committed a transgression through a violation of this Clause , above or "Fraud Prevention Policy" of MMTC in any other form such as to put their reliability or credibility in question, MMTC other than taking recourse available under law, shall be entitled to disqualify the Bidder(s)/ Contractor(s) Buyer(s)/ Vendor(S) from undertaking any transaction with MMTC and/or declare the bidder(s)/contractor(s) ineligible to be awarded a contract either indefinitely or for a stated period of time.

(3) **Damages:** If MMTC has disqualified the Bidder(s) from the tender process prior to the award or during execution according to this Clause, MMTC shall be entitled to demand and recover from the Contractor liquidated damages of the Contract value or the amount equivalent to Performance Bank Guarantee.

## **16. Holiday Listing**

Notwithstanding anything contained in this agreement, MMTC's policy for Holiday listing of an agency mutatis mutandis applies to this agreement and in the event, the Buyer while discharging its obligations under the agreement or otherwise, comes within the ambit of the said policy, MMTC at its sole discretion reserves the right to suspend / discontinue dealings or take any curative measures with the Buyer in accordance with the policy in force.

## **17- ARBITRATION**

All disputes arising between the parties (Buyer and Seller) out of or in relation to the work order shall be settled amicably. If, however, the parties fail to resolve amicably, the same shall be referred to and settled through an arbitration proceeding of a single/sole arbitrator, to be nominated by CMD, MMTC. The arbitration proceeding shall be conducted in accordance with the arbitration and conciliation Act, 1996 of India. The reasoned award made in pursuance thereof shall be binding on the parties, the venue of arbitration shall be New Delhi. Only the courts at New Delhi shall have the jurisdiction over the disputes in relation to and arising out of the Tender.

**ANNEXURE - I****SUPPORTING MANUFACTURER EMPANELMENT FORMAT :**

1. NAME OF PRODUCT Manufactured		
2. (a) Specifications of Product		
(b) Quantity produced (Documentary Proofs to be attached)		
In 2015-16		
In 2016-17		
In 2017-18		
3.a) Name and address of Supplier		
(b) Year of Establishment		
(c) Name of contact person(s)		
(d) Telephone No(s).		
(e) Fax No(s)		
(f) E-mail id(s)		
4. Details of Supply / Exports / Projects executed	Pls attach list with name of Project and approximate value	
5.(i) Supporting documents of supplier such as , Registration certificates with various tax authorities or Government Departments	ATTACHED	Not Attached
ii) Credit Rating Report	ATTACHED	Not Attached
iii) Solvency Certificate from the bank	ATTACHED	Not Attached
iv) All terms and conditions specified in EOI	ACCEPTED	Not Accepted
v) Has the company been black listed / banned by any Government Undertaking from participating in any tenders for supply of Engineering Products	YES	NO
Whether blacklisted / banned on the date of application	YES	NO

**\*\* The above information be page numbered & Indexed as per Annexure – I ( a.)  
May please note otherwise will not be considered.**



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.

Dated:

Signatures:

Name & Designation

Company Seal:

**INDEX** for submission of record / documents as per**Annexure – I ( a )**

SI.No	Document / Record Details	Page no.	Yes / No
1.	ANNEXURE –I Manufacturer Details		
2.	ANNEXURE –II Undertaking		
3.	Credit Rating Report		
4.	Board Resolution		
5.	Bank Certificate		
6.	Solvency Certificate from the Bank		
7.	Chartered Accountant's Certificate		
8.	Copy of PAN		
9.	Factory License		
10.	GST Registration Certificate		
11.	ISO Certificate/s & other Accreditation certificate/s , if any		
12.	ITR for FY 2017-18 ( last 3 years ITRs )		
13.	ITR for FY 2016-17		
14.	ITR for FY 2015-16		
15.	ISI / BIS Licenses		
16.	LIST OF PLANT and Machineries		
17.	List of Testing Equipments		
18.	INCORPORATION CERTIFICATE		
19.	Memorandum of Association		
20.	Annual Report 2017-18 ( last 3 years )		
21.	Annual Report 2016-17		
22.	Annual Report 2015-16		
23.	Product Catalogue		
24.	Evidence of Projects already executed		

May please add if necessary or desired to furnish more document / record .

( ON STAMP PAPER )

**ANNEXURE II**

Date:

To,

**MMTC Limited**  
Core 1 Scope Complex  
Lodi Road Institutional Area  
New Delhi-110003

Reference : MMTC's EOI No. MMTC/PROJ-EOI / 2018 / 004 dated .....

**Sub:** Declaration regarding blacklisting / holiday listing / banning of business.

Dear Sir,

We, \_\_\_\_\_( Name & Address of the Organisation ), hereby confirm and acknowledge that we have not been blacklisted / banned for participation in Tenders by Government of India **or** by any State Government **or** by any Public Sector Undertaking **or** by any Govt. Department in India.

Yours faithfully

Name and Signature of the Authorized  
Person