



GOVERNMENT OF ODISHA  
DEPARTMENT OF WATER RESOURCES

PRE-QUALIFICATION DOCUMENT

FOR

EXPRESSION OF INTEREST FOR

EPC CONTRACTS FOR

CONSTRUCTION OF

**BARRAGES, WEIRS AND MAJOR CHECK DAMS  
(In-stream storage structures)**

**Chief Engineer, Flood Control & Basin Manager  
Lower Mahanadi Basin, Bhubaneswar, Odisha  
PIN-751001**



**e -Procurement Notice No: CELMB-04 of 2020-21  
(Bid Identification No. CELMB ISS EOI-01 OF 2020-21)**

**EXPRESSION OF INTEREST FOR  
CONSTRUCTION OF BARRAGES, WEIRS AND MAJOR CHECK DAMS (IN-  
STREAM STORAGES STRUCTURES).**

To meet the irrigation needs Department of Water Resources (**DoWR**) Government of Odisha proposes to construct number of schemes of barrages/weirs/major check dams across various rivers and major tributaries depending on the terrain in a period of next **five** years to enhance in-stream storage for the water conservation for improving drinking water supply, augment flow & lift irrigation, water supply for industrial & commercial establishments and maintain minimum environmental flow requirements in different river basins of the state. The Project shall be implemented as a turnkey project on EPC mode. The Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar hereby invites Expression of Interest (“EOI”) from reputed, experienced technically and financially sound companies, firms, contractors/Developers (herein after called Agencies) registered with State Government/Govt. of India for “Empanelment of Agencies for construction of barrages/weirs/major check dams(In-stream storage structures) on EPC turn-key basis”. A Pre-Application meeting shall be held on **dt.16.01.2021** as per schedule and venue as specified in the EOI document. Interested parties may submit their EOIs in the format along with details and supporting documents. The EOI document and formats could be downloaded from <https://www.dowrodisha.gov.in> and <https://www.odisha.gov.in>. Submissions must be made latest by **dt.05.02.2021** and not later than 5.00 PM Indian Standard Time (IST).

The said empanelment shall remain valid for 3(Three) years from the date of empanelment.

Chief Engineer FC & BM,  
Lower Mahanadi Basin, Bhubaneswar  
**Odisha**

## **DISCLAIMER**

1. The information contained in this expression of interest (EOI) or subsequently provided to applicant, whether verbally or in documentary or any other form by or on behalf of the Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar. Department of Water Resources (herein after referred to as Authority) or any of its employees, is provided to Applicants on the terms and conditions set out in this EOI and such other terms and conditions subject to which such information is provided.
2. This EOI is not an agreement or an offer by the Authority to the prospective applicants or any other person. The purpose of this EOI is to provide interested parties with information that may be useful to them in the formulation & submission of their applications pursuant to this EOI.
3. This EOI includes statements, which reflect various assumptions and assessments arrived at by the Authority in relation to the Project. Such assumptions, assessment and statements do not purport to contain all the information that each Applicant may require.
4. This EOI may not be appropriate for all persons, and it is not possible for the Authority and its employees to consider the objectives, technical expertise and particular needs of each party who reads or uses this EOI. The assumptions, assessments, statements and information contained in this EOI, may not be complete, accurate, adequate or correct. Each Applicant should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments and information contained in this EOI and obtain independent advice from appropriate sources. Information provided in this EOI to the Applicants may be on a wide range of matters, some of which may depend upon interpretation of law. The information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. DoWR or any of its employees accepts no responsibility for the accuracy or otherwise for any interpretation or opinion on the law expressed herein.
5. The Authorities or any of its employees / advisors make no representation or warranty and shall have no liability to any person including any Applicant under any law, statute rules or regulations or tort, principles or restitution or unjust enrichment or otherwise for nay loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in the EOI or otherwise, including the accuracy, adequacy, correctness, reliability or completeness of the EOI and any assessment, assumption , statement or information contained therein or deemed to from part or this EOI or arising in any way in this process .
6. The Authority or any of its employees also accepts no liability or any nature whether resulting from negligence or otherwise however caused arising from reliance of any Applicant upon the statement contained in this EOI.
7. The Authority may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumption contained in this EOI, without assigning any reason or providing any notice and without accepting any liability for the same.
8. The issue of this EOI does not imply that the Authority is bound to shortlist an Applicant or to appoint the Selected Applicant for Project and the Authority reserves the right to reject all or any of the Applications without assigning any reasons whatsoever.
9. The Authority shall not be responsible for any costs or expenses incurred by the Applicant in connection with the preparation and delivery of applications, including costs and expenses related to visit for meeting with the Authority.

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## 1. INTRODUCTION

- 1.1 Government of ODISHA proposes to construct number of schemes of barrages/weirs/major check dams across various rivers and major tributaries depending on the terrain in a period of next **five** years to enhance in stream storage for the water conservation for improving drinking water supply, augment flow & lift irrigation, water supply for industrial & commercial establishments and maintain minimum environmental flow requirements in different river basins of the state. The probable sector outlay for these schemes in next **five** years would be about Rs.**4500** crores.
- 1.2 The main components of these schemes will be (a) Concrete/Masonry Non-over flow structures (b) Spillway structures, (c) sluices (d) hydraulic gates & hoists for manual and automatic operation where ever required (e) afflux bundhs and bank protection works (f) other appurtenant works.
- 1.3 The Project shall be implemented as an Engineering Procurement and Construction contract on a turnkey basis, where The EPC contractor is responsible for completion of detailed Engineering, Procurement and Construction of the clusters including participatory irrigation management (PIM) activities and market linkage in a period of about thirty months and also is responsible for Operation and Maintenance of the schemes for a period of five years after commissioning.
- 1.4 The Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar(hereinafter referred as Authority) intends follow a two-stage competitive & transparent bidding process for selection of the suitable Bidder (EPC Contractor). In the <sup>1st</sup> stage, pre-qualify and short-list suitable Applicants (the "Bidders") eligible for the project. Subsequently, in the <sup>2nd</sup> stage (Request for Proposal, "**RFP**") only for the shortlisted applicants (Qualified Bidders) shall be invited to submit their proposals in appropriate format for evaluation and the most preferred Bidder, shall be awarded the project. (EPC Contractor).

- 1.5 The Authority shall receive Applications pursuant to this EOI in accordance with the terms set forth herein as modified, altered, amended and clarified from time to time and all Applications shall be prepared and submitted in accordance with such terms on or before the date specified in Clause 3.2 for submission of Applications (the "Application Due Date").
- 1.6 Bids for such packages will be invited on Engineering Procurement Construction (EPC) on Turn Key basis (including Survey investigation, design, preparation of construction drawings, cost estimates, procurement of materials, electrical & mechanical equipments, construction of all civil & electro-mechanical works and maintenance & operation of the same for five years) only from pre-qualified bidders.
- 1.7 The bids for pre-qualification are hereby invited from reputed/leading construction agencies who are registered with Government of Odisha or any other state and central Government and who satisfy the eligibility criteria as specified in the pre qualification bids. Those who are not registered with Government of Odisha shall have to get themselves registered before any work is awarded to them.
- 1.8 The pre qualification bids/offers shall be in the prescribed format and placed on the website "<https://www.dowrodisha.gov.in> & <https://www.odisha.gov.in> with effect from 10.00Hrs on dt.22.12.2020 ,
- 1.9 The duly filled in pre qualification bids shall be submitted in the e portal 'tendersodisha.gov.in' on or before 17.00Hrs on dt.05.02.2021.
- 1.10 The pre qualification bids will be opened by the Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar or his authorised representative in presence of the bidders or their authorised representative in O/o the Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar at 11.00Hrs on dt.06.02.2021.
- 1.11 Successful bidders will be intimated accordingly.
- 1.12 The EOI shall be valid for 180 days from the last date of submission of EOI online.
- 1.13 The Department reserves the right to reject one or all the bids received without assigning any reasons whatsoever. No correspondence will be entertained from the bidders whose bids are rejected.

## **2. SCOPE OF WORK**

- 2.1 The selected Bidder (**EPC Contractor**) shall be responsible for designing engineering, procurement, construction, operation and maintenance of the Project under and in accordance with the provisions of the RFP and contract executed.

2.2 The scope of work of the EPC Contractor involves the following:

- a) Survey, investigation including foundation exploration, geological mapping, Design of barrages / weirs / check dams including hydraulic gates and hoists across various rivers and major tributaries depending on the terrain following Indian Standard Codes/Guidelines of Central Water Commission / Odisha, Water Resources Department Guidelines & norms / Best national & international Practices acceptable to Indian standards. Approval of planning and design by competent authority of State of Odisha.
- b) Construction of all Civil works as per the approved specifications
- c) Fabrication, supply, inspection, testing, transportation, storage, erection & commissioning of hydraulic gates & hoists
- d) Installation, Testing and commissioning of the project.
- e) Operation & Maintenance of the scheme for a period of **five** years after successful commissioning of the project. Construction of all Civil, mechanical & electrical works as per the approved specifications.

### **3. BIDDING PROCESS**

#### **3.1 Brief of Bidding Process**

- 3.1.1 The Authority has adopted a two-stage process (collectively referred to as the "Bidding Process") for selection of the bidder for award of the Project. The first stage (the "EOI Stage") of the process involves qualification (the "Qualification") of interested parties who make an Application in accordance with the provisions of this EOI (the "Applicant").
- 3.1.2 At the end of this stage, the Authority expects to announce a short-list of suitable pre-qualified Applicants who shall be eligible for participation in the second stage of the Bidding Process (the "Bid Stage") comprising Request for Proposals (the "Request for Proposals" or "RFP").
- 3.1.3 Any queries or request for additional information concerning this EOI shall be submitted in writing or e-mail to the Authority as per details stated in Clause 5.

#### **3.2 Schedule of EOI Process**

The Authority shall endeavour to adhere to the following schedule

SI No	Event	Date & Time
1	Eoi documents available from date.	Dt.22.12.2020 at 10.00Hrs
2	Eoi documents availability	Dt.05.02.2021 upto 17.00Hrs
3	Last Date of Receiving Queries	Dt.11.01.2021 upto 17.00Hrs
4	Pre-Application Conference	Dt.16.01.2021 at 11.00Hrs
5	Last date of Application	Dt.05.02.2021 upto 17.00Hrs
6	Opening of Eoi documents.	Dt.06.02.2021 at 11.00 Hrs

## **4. INSTRUCTION TO APPLICANTS**

### **4.1. Scope of Application**

4.1.1 The Authority wishes to receive EOI for Qualification in order to shortlist experienced and capable Applicants for the Bid Stage.

### **4.2. Eligibility of Applicants**

4.2.1 The bidder / firm / company must be registered with Government of Odisha or any other state/UT of India and Central Government with valid registrations. (Self attested registration documents may be submitted)

4.2.2. The bidder/firm/company should have ISO certification.

4.2.3. The bidder/firm/company should not have been black listed in the last five financial years in any department in Govt. of Odisha or in any other state/Union Govt. due to any reasons.

4.2.4. To be eligible for pre-qualification and short-listing, an Applicant shall fulfil the following conditions of eligibility:

#### **Pre-qualification qualifying criteria:**

It is proposed for consideration of formation of a panel of agencies to be shortlisted as per the following qualification criteria.

- a) Reputed firms registered under Central / State Government having valid registrations, Central & State Government undertakings having experience of **completion/execution** of similar works. The firms should have Super Class License under the State of Odisha, they have to submit an affidavit that they will register under the State Government as Super Class Contractor for participating in the bids of the state of ODISHA.
- b) Annual Turnover: Each bidder in its name should have in the last five years (from **2015-16 to 2019-20**) achieved minimum annual turnover of Rs.300.00 crore rupees at **2019-20** price level. Financial turnover of previous year shall be given weightage of 10% per year based on rupee value to bring them to current price level.
- (c) Should have satisfactorily completed not less than **80%** of the original contract value as a prime contractor of at least one similar work of the detailed engineering, procurement and construction of Dams/Barrages/Weirs/Major Irrigation Structures/ Major Bridges for value not less than 150 crore rupees in last **five** years.
- d) The firm must have a net worth of Rs.100.00 crores.
- e) The firm must have been making net profit (after tax).
  
- i) All the experience cited for evaluation of technical capacity should be supported with appropriate self-attested client certificate duly signed from an officer not below the rank of Executive Engineer or equivalent authority and counter signed by the higher authority. The



detail correspondence address/Fax number/phone no./ e-mail Id of officer issuing certificate shall be furnished.

- ii) Experience cited without supporting credentials from client shall not be considered for evaluation.
- iii) The projects proposed for assessment of Technical Capacity should be submitted in the format at Annex 2.
- iv) Audited Balance Sheets and Profit and Loss account for the FY 2015-16 to FY 2019-20 shall be furnished **duly certified by the Chartered Accountant**.
- v) Financial Capacity shall be submitted in the manner stated in Annex 3 supported through Annex 4 duly certified by a practicing Chartered Accountant.

#### **4.2.5. Number of Applications and costs thereof**

4.2.6. No Applicant shall submit more than one Application for the Eoi.

4.2.7. The Applicants shall be responsible for all the costs associated with the preparation of their Applications and their participation in the Bid Process. The Authority will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the Bidding Process.

#### **4.3. Acknowledge by Applicant**

4.3.2. It shall be deemed that by submitting the Application, the Applicant has:

- i. made a complete and careful examination of the EOI;
- ii. received all relevant information requested from the Authority;
- iii. accepted the risk of inadequacy, error or mistake in the information provided in the EOI or furnished by or on behalf of Department of Water Resources(DoWR) relating to any of the matters referred to in Clause 4.4 above; and
- iv. Agreed to be bound by the undertakings provided by it under and in terms hereof.

4.3.3. The Authority shall not be liable for any omission, mistake or error in respect of any of the above or on account of any matter or thing arising out of or concerning or relating to the RFQ or the Bidding Process, including any error or mistake therein or in any information or data given by the Authority.

#### **4.4. Right to accept or reject any or all Applications/ Bids**

4.4.2. Notwithstanding anything contained in this EOI, the Authority reserves the right to accept or reject any Application and to annul the Bidding Process and reject all Applications/ Bids, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons therefor. In the event that the Authority rejects or annuls all the Bids, it may, in its discretion, invite all eligible Applicants to submit fresh Bids hereunder.

4.4.3. The Authority reserves the right to reject any Application and/ or Bid if: (a) at any time, a material misrepresentation is made or uncovered, or (b) the Applicant does not provide,

within the time specified by the Authority, the supplemental information sought for evaluation of the Application.

#### **4.5. Clarifications**

- 4.5.2.** Applicants requiring any clarification on the EOI may notify the Authority in writing or e-mail. They should send in their queries before the date specified in the schedule of Bidding Process contained in Clause 3.2. The Authority shall endeavour to respond to the queries within the period specified therein, but not later than 10 (ten) days prior to the Application Due Date. The responses will be sent by e-mail and uploaded in the website.
- 4.5.3.** The Authority shall endeavour to respond to the questions raised or clarifications sought by the Applicants. However, department reserves the right not to respond to any question or provide any clarification, in its sole discretion, and nothing in this Clause shall be taken or read as compelling or requiring department to respond to any question or to provide any clarification.
- 4.5.4.** The Authority may also on its own motion, if deemed necessary, issue interpretations and clarifications to all Applicants. All clarifications and interpretations issued by the Authority shall be deemed to be part of the EOI.

### **5. PREPARATION AND SUBMISSION OF APPLICATION**

- 5.1** The Application and all related correspondence and documents shall be in English language. Supporting documents and printed literature furnished by the Applicant with the Application may be in any other language provided that they are accompanied by translations of all the pertinent passages in the English language, duly authenticated and certified by the Applicant. Supporting materials, which are not translated into English, may not be considered. For the purpose of interpretation and evaluation of the Application, the English language translation shall prevail.
- 5.2** The bidders shall submit their EOI through online mode only. In case of any failure, malfunction or breakdown of electronic system used during the e-procurement process, the tender inviting authority shall not accept any responsibility for failure or breakdown other than in those systems strictly within their own control.
- 5.3** The e-procurement applications are PKI ( Public Key Infrastructure) enabled and supports the digital Signature certificates(DSC) of appropriate class (Class-II or Class-III) issued from a registered Certifying Authority (CA) as stipulated by Controller of Certifying Authorities(CCA), Government of India such as n-code, Sify, TCS, e-Mudhra etc., for signing the bids at the time of submission by contractor. The contractor has to procure digital Signature certificates issued by above authority as per the procedure. Digitally

signed bids are to be submitted electronically through e-procurement, without which the EOI will not be considered.

- 5.4** The bidders would be required to register on the e-procurement portal [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in) and submit their bid online. The Department will not accept any bid submitted in the other form.
- 5.5** The bidder may ask question online in the e-procurement portal using his/her DSC, provided the questions are raised within the period of seeking clarification as mentioned in the particular of tender. The officer inviting tender will clarify queries related to the EOI.
- 5.6** Intending bidders can contact the office of the Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar, Odisha for any clarification, information on any working day during working hours. No clarification will be entertained after the pre-bid meeting.
- 5.7** Bidders are requested to submit the following documents along with the EOI.
- i. Application in the prescribed format (Appendix-I) along with Annexes and supporting documents;
  - ii. Other details of similar work(s) executed as prime contractor and other technical details in Annex 2 A to 2 E.
  - iii. The Annual turnover to establish Financial Capacity in the format in Annex 3 & Annex 4 duly certified by the applicant's statutory Auditor.
  - iv. Power of Attorney for signing the Application as per the format at Annexure 5
  - v. The information on litigation history in Annex 6
  - vi. The intending bidder must possess credit facilities / solvency certificate of not less than twenty percent (20%) of the amount put to tender and furnish the credentials from any scheduled commercial bank along with the bid against the specific work by mentioning the name of work and tender and identification number in prescribed proforma given in Annex 7
  - vii. Copy of Memorandum and Articles of Association, if the Applicant is a body corporate, and if a partnership then a copy of its partnership deed;
  - viii. Copies of Applicant's duly audited balance sheet and profit and loss account for the preceding five years.
  - ix. Copy of contractor's registration certificate under appropriate class with Government of Odisha/any other state/Government of India
  - x. Copy of latest valid income tax clearance certificate.
  - xi. Copy of GST Registration No.
  - xii. The particulars of eligible projects to establish Technical Capacity as per format 2A which have been executed in the last five financial years in the tenderer's name along with work done certificates in support of the figures.

- xiii. All documents, certificates, other related papers shall be signed by the bidder / firm / company or duly authorized person holding Power of Attorney.

#### 5.7.1 Application Due Date:

Applications should be submitted before schedule date & time as specified in 3.2 on the Application Due Date in the manner and form as detailed in this EOI.

## 6. OPENING AND EVALUATION OF EOI APPLICATIONS:

### 6.1. Opening of EOI Applications

- i. The EOI will be opened on **dt.06.02.2021 at 11.00Hrs in the Office of the Chief Engineer Flood Control & Basin Manager, Lower Mahanadi Basin, Sehasadan, Bhubaneswar** on website [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in). The bidders who wish to remain present at Office of the Chief Engineer, FC & BM, Lower Mahanadi Basin, Bhubaneswar, Pin-751001 at the time of EOI opening can do so. Only one representative of each firm will be allowed to remain present.
- ii. The information given in the EOI applications shall be evaluated as per norms / criteria.
- iii. In case of any discrepancy or non-adherence of conditions, the Tender accepting authority shall communicate the same which will be binding both on the department and the tenderer. In case of any ambiguity the decision taken by the Tender accepting authority on these tenders shall be final.
- iv. Test of Responsiveness:  
Prior to evaluation of Applications, the Authority shall determine whether each Application is responsive to the requirements of the EOI.  
An Application shall be considered responsive only if:
  - a) it is received as per format prescribed.
  - b) it is received by the Application Due Date including any extension thereof pursuant to Clause
  - c) it contains all the information and documents (complete in all respects) as requested in this EOI;
  - d) it contains information in formats same as those specified in this EOI;
  - e) it contains certificates from its statutory auditors in the formats specified
  - f) it does not contain any condition or qualification;
  - g) it is not non-responsive in terms hereof.

### 6.2 Confidentiality

Information relating to the examination, clarification, evaluation, and recommendation for the short-listed pre-qualified Applicants shall not be disclosed to any person who is

not officially concerned with the process or is not a retained professional advisor advising the Authority in relation to or matters arising out of, or concerning the Bidding Process. The Authority will treat all information, submitted as part of Application, in confidence and will require all those who have access to such material to treat the same in confidence. The Authority may not divulge any such information unless it is directed to do so by any statutory entity that has the power under law to require its disclosure or is to enforce or assert any right or privilege of the statutory entity and/ or the Authority or as may be required by law or in connection with any legal process.

### **6.3 Clarification**

1. To facilitate evaluation of Applications, the Authority may, at its sole discretion, seek clarifications from any Applicant regarding its Application. Such clarification(s) shall be provided within the time specified by the Authority for this purpose. Any request for clarification(s) and all clarification(s) in response thereto shall be in writing.
2. If an Applicant does not provide clarifications sought above within the prescribed time, its Application shall be liable to be rejected. In case the Application is not rejected, the Authority may proceed to evaluate the Application by construing the particulars requiring clarification to the best of its understanding, and the Applicant shall be barred from subsequently questioning such interpretation of the Authority.
3. For any clarification, the EoI inviting Authority's address is Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Secha Sadan, Bhubaneswar, Odisha. (E-mail address: [celmbbsr@gmail.com](mailto:celmbbsr@gmail.com) Contact No- 9437290840)

## **7. CRITERIA FOR EVALUATION**

### **7.1 Evaluation Parameters:**

Only those applications which are responsive and those Applicants who meet the eligibility criteria shall qualify. Applications of firms who do not meet these criteria shall be rejected.

### **7.2 Short-listing of Applicants**

Only those applications meeting the minimum technical capacity and financial capacity and other conditions in this EOI shall be shortlisted.

### **7.3 DECISION MAKING AUTHORITY:**

The **Government in Department of Water Resources**, Bhubaneswar will be the final decision-making authority in respect of these bids and reserves the right to accept or reject any of the pre-qualification bids without assigning any reason there of and his decision will be final and binding.

The bidders who qualify successfully in EOI shall be intimated and will be eligible for participating in the 2<sup>nd</sup> stage bidding process.

## 8. PRE-APPLICATION CONFERENCE

**8.1** A Pre-Application conference of the interested parties shall be convened at the designated date, time in the Office of the Chief Engineer Flood Control & Basin Manger, Lower Mahanadi Basin. Sehasadan, Bhubaneswar.

**8.2** A maximum of three representatives of each Applicant shall be allowed to participate on production of authorisation letter from the Applicant. Applicants are requested to intimate their participation prior to attending the conference.

**8.3** During Pre-Application conference, the Applicants will be free to seek clarifications and make suggestions for consideration of the Authority. The Authority shall endeavour to provide clarifications and such further information as it may, in its sole discretion, consider appropriate for facilitating a fair, transparent and competitive Bidding Process.

## 9. MISCELLANEOUS

**9.1** The entire EOI & bid Process shall be governed by, and construed in accordance with, the laws of India and the Courts at Bhubaneswar shall have exclusive jurisdiction over all disputes arising under, pursuant to and/ or in connection with the Bidding Process.

**9.2** The Authority, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to;

- (a) suspend and/ or cancel the Bidding Process and/ or amend and/ or supplement the Bidding Process or modify the dates or other terms and conditions relating thereto;
- (b) consult with any Applicant in order to receive clarification or further information;
- (c) Pre-qualify or not to pre-qualify any Applicant and/ or to consult with any Applicant in order to receive clarification or further information;
- (d) retain any information and/ or evidence submitted to the Authority by, on behalf of, and/ or in relation to any Applicant; and/ or
- (e) independently verify, disqualify, reject and/ or accept any and all submissions or other information and/ or evidence submitted by or on behalf of any Applicant.

**9.3** It shall be deemed that by submitting the Application, the Applicant agrees and releases Department, its employees, agents and advisers, irrevocably, unconditionally, fully and finally from any and all liability for claims, losses, damages, costs, expenses or liabilities in any way related to or arising from the exercise of any rights and/ or performance of any obligations hereunder and the Bidding Documents, pursuant here to, and/ or in connection with the Bidding Process, to the fullest extent permitted by applicable law, and waives any and all rights and/ or claims it may have in this respect, whether actual or contingent, whether present or in future.

## **10. FORMATS FOR SUBMISSION OF EOI**

## APPENDIX I

### Letter Comprising the Application (On the letter head of Applicant)

Dated:

To

The Chief Engineer,  
Flood Control & Basin Manager,  
Lower Mahanadi Basin,  
Bhubaneswar, Odisha.

Sub: EOI for pre-qualification for construction of barrages /weirs/ major check dams (In-stream Storage structures), Odisha on EPC Turnkey Basis.

Dear Sir,

1. With reference to your EOI document dated \_\_\_\_\_, I, having examined the EOI document and understood its contents, hereby submit my Application for the aforesaid project. The Application is unconditional and unqualified.
2. I acknowledge that the Authority will be relying on the information provided in the Application and the documents accompanying such Application for pre-qualification of the Applicants for the aforesaid project, and we certify that all information provided in the Application and in Annexes are true and correct; nothing has been omitted which renders such information misleading; and all documents accompanying such Application are true copies of their respective originals.
3. This statement is made for the express purpose of qualifying as a Bidder for the aforesaid Project.
4. I shall make available to the Authority any additional information it may find necessary or require to supplement or authenticate the Qualification statement.
5. I acknowledge the right of the Authority to reject our Application without assigning any reason or otherwise and hereby waive, to the fullest extent permitted by applicable law, our right to challenge the same on any account whatsoever.
6. I understand that you may cancel the Bidding Process at any time and that you are neither bound to accept any Application that you may receive nor to invite the Applicants to Bid for the Project, without incurring any liability to the Applicants, in accordance with the EOI document.
7. I believe that we satisfy the Minimum Financial Capacity criteria and meet all the requirements as specified in the EOI document and are/ is qualified to submit this EOI.
8. I declare that we or our Associates are not a Member of any other Applicant applying in this EOI.
9. I certify that in regard to matters other than security and integrity of the country, we or any of our/ their Associates have not been convicted by a Court of Law or indicted or adverse orders passed by a regulatory authority which could cast a doubt on our ability to undertake the Project or which relates to a grave offence that outrages the moral sense of the community.



10. I further certify that regarding matters relating to security and integrity of the country, we or our Associates have not been charge-sheeted by any agency of the Government or convicted by a Court of Law.
11. I further certify that no investigation by a regulatory authority is pending either against us or against our Associates or against our CEO or any of our directors/ managers/ employees .
12. We further certify that we or any of our Associates are not barred by the Central Government or any entity controlled by it, from participating in any project, and no bar subsists as on the date of Application.
13. I undertake that in case due to any change in facts or circumstances during the Bidding Process, we are attracted by the provisions of disqualification in terms of the provisions of this EOI, we shall intimate the Authority of the same immediately.
14. The power of attorney for signing of Application is also enclosed.
15. I agree and undertake to abide by all the terms and conditions of the EOI document.

In witness thereof, I/ we submit this Application under and in accordance with the terms of the RFQ document.

Yours faithfully,

Date:

Place:

( Authorised Signatory)

**ANNEX – 1 DETAILS OF APPLICANT & TIE UP MEMBERS IF ANY**

- 1. Corporate details
  - a) Name of the entity:
  - b) Legal Status
  - c) Country of incorporation/registration:
  - d) Date of incorporation/registration:
  - e) Address of the corporate headquarters and its branch office(s), if any, in India:
  
- 2. Brief description of the core business activities of the applicant

Name of Applicant	Core Business Activity**
Name of TIE UP MEMBER	

- 3. Details of the authorised individual who will serve as the point of contact/ communication with, and from, the Authority:
  - (a) Name:
  - (b) Designation:
  - (c) Address:
  - (d) Telephone Number: (office) [                      ] (mobile) [                      ]
  - (e) E-Mail Address:
  - (f) Fax Number:

**Annex 2 A TECHNICAL CAPACITY OF APPLICANT**

<b>Details of Eligible Similar projects executed in the last 10 years ( 2010-11 to 2019-20)</b>						
Sl.No	Project Name	Name of the Employer	Description of Work	Contract No.	Value of Contract Date of issue of work order	Actual date of Completion

**(Authorised Signatory)**

**ANNEX 2B DETAILS OF WORKS ON HAND**

<b>Details of Works on Hand</b>								
Sl.No	Description of Work	Place & State	Name of the Employer	Contract No.& Date	Value of Contract	Stipulated Period of Completion	Value of Works remaining to be completed	Actual date of Completion

**(Authorised Signatory)**

**ANNEX 2 C WORKS FOR WHICH BIDS ALREADY SUBMITTED**

<b>WORKS FOR WHICH BIDS ALREADY SUBMITTED</b>							
Sl.No	Description of work	Place & State	Name & Address of Employer	Estimated Value of Works	Stipulated period of Completion	Date when decision is Expected	Remarks if any
1	2	3	4	5	6	7	8

**(Authorised Signatory)**

**ANNEX 2 D- LIST OF EQUIPMENT/ MACHINERY OWNED BY THE APPLICANT**

**LIST OF EQUIPMENT / MACHINERY OWNED BY THE APPLICANT**

Sl.No	Type of Equipment	Make/ Model	Nos. Owned	Year of Procurement	Present Condition	Present Location	Is it free for deployment in new project	Remarks
1	2	3	4	5	6	7	8	9

**(Authorised Signatory)**

**ANNEX 2 E- QUALIFICATION AND EXPERIENCE OF MANPOWER WITH THE APPLICANT**

<b>QUALIFICATION AND EXPERIENCE OF MAN POWER</b>					
Sl.No	Position	Name	Qualification	Years of Experience ( General )	Years of Experience in the proposed position
1	2	3	4	5	6

**(Authorised Signatory)**

- NOTE: 1. Qualification and experience of man power available or deployment to be furnished under the following heads:
- a) Hydrological, topographic, geological and foundation investigations
  - b) Design and Design and construction drawings
  - c) Construction.
2. Curriculum Vitae for each of the members listed in Annex 2 E shall be furnished.

**ANNEX-3 - FINANCIAL CAPACITY OF APPLICANT**

Year	Total Annual Turnover/ revenues (Rupees in Crore)				
	2015-16	2016-17	2017-18	2018-19	2019-20
A. Turnover as per Audited P&L statement					
B. Adjustment factor @ 10%	1.61	1.46	1.31	1.21	1.1
C. Adjusted Turnover at 2019-20 prices( A x B)					
D. Number of years with Adjusted Turnover more than Rs. 300.00 Crore					

(Authorised Signatory)

**Instructions:**

1. Copies of the audited financial statements for **FIVE (5)** Financial years 2015-16 till 2019-20 (Balance Sheet, Profit & Loss Statement etc.) to support the above information relating to the Applicant/each member of the Consortium should be attached.
2. Annual Turnover (Total revenue) shall mean total gross revenue earned from all business-related activities
3. In case the amounts required to be specified above are not in Indian Rupees, please convert other currencies into Indian Rupees using the most recent exchange rate available and specify such exchange rate in your submissions



**ANNEX-4 – CHARTERED ACCOUNTANT CERTIFICATE ON FINANCIAL CAPACITY**

**CERTIFICATE FROM THE STATUTORY AUDITOR/PRACTICING CHARTERED ACCOUNTANT REGARDING FINANCIAL CAPACITY**

*(On the letter head of the statutory auditor/practicing chartered accountant)*

Based on the books of accounts of *(insert name of the Applicant)* (Applicant) and other published information authenticated by it, this is to certify that:

- (a) as on *(insert date)*, the Applicant Turnover in the last five years is as below. The Turnover of last five years has been calculated in accordance with the terms set out in the EOI issued by **CE, FC&BM, LMB, Bhubaneswar** on *[insert date]*;

Year	Total Annual Turnover/ revenues (Rupees in Crore)				
	2015-16	2016-17	2017-18	2018-19	2019-20
A. Turnover as per Audited P&L statement in Rupees Crore					
B. Adjustment factor @ 10%	1.61	1.46	1.31	1.21	1.1
C. Adjusted Turnover at 2020-21 prices (A x B) in Rupees Crore					
D. Number of years with Adjusted Turnover more than Rs. 300.00 Crore					

(b) the Bidder is not

- (i) been or being subject to proceedings for declaration of or been declared bankrupt, wound up, or had or having its affairs administered or conducted by any court, administrator, receiver;
- (ii) been declared by a court or other competent authority as being unable to pay its debts, or made any composition or arrangements with creditors or had the repayment of its debts suspended;
- (iii) been convicted or otherwise found responsible (or any of its directors, partners, trustees, officers or managers been convicted or found responsible) by any court, tribunal, regulatory, public or other competent authority for a breach of any laws or regulations which:
  - (A) related to any act of fraud or dishonesty for which a fine, penalty, damages, compensation or other payment was levied against the Bidder or any of its directors, partners, trustees, officers or managers; or
  - (B) resulted in the permanent or temporary suspension of the rights of the Bidder to provide any service or carry on any type of business or operations.

Name of the audit firm:

Seal of the audit firm:

Signature:

Name:

Membership Number:

Designation:

Date

**ANNEX-5 – POWER OF ATTORNEY**

(on Non-Judicial Stamp paper)

Power of Attorney for signing of Application

Know all men by these presents, We..... (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorise Mr/ Ms (name), ..... son/daughter/wife of ..... and presently residing at ....., who is presently employed with us and holding the position of ....., as our true and lawful attorney (hereinafter referred to as the "Attorney") to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our EOI for pre-qualification for construction of barrages /weirs/ major check dams (In-stream Storage structures) in O d i s h a on EPC Turnkey Basis being developed by the Department of Water Resources, Government of Odisha, and represented by the Chief Engineer, Flood Control & Basin Manager, Lower Mahanadi Basin, Bhubaneswar(the "Authority") including but not limited to signing and submission of all applications, bids and other documents and writings, participate in Pre-Applications and other conferences and providing information/ responses to the Authority, representing us in all matters before the Authority, signing and execution of all contracts including the Concession Agreement and undertakings consequent to acceptance of our bid, and generally dealing with the Authority in all matters in connection with or relating to or arising out of our bid for the said Project and/ or upon award thereof to us and/or till the entering into necessary contract / agreement with the Authority. AND we hereby agree to ratify and confirm and do hereby ratify and confirm all acts, deeds and things done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us. IN WITNESS WHEREOF WE, ....., THE ABOVE-NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS ..... DAY OF ..... 2..... For

..... (Signature, name, designation and address)

Witnesses: 1.

(Notarised)

Accepted .....

(Signature) (Name, Title and Address of the Attorney)

**ANNEX-6- INFORMATION ON LITIGATION**

**INFORMATION ON LITIGATION HISTORY IN WHICH THE BIDDER IS INVOLVED**

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**ANNEX-7 – BANK CERTIFICATE FOR OD/ CREDIT**

**BANK CERTIFICATE  
(ON THE LETTER HEAD OF BANK)**

This is to certify that M/s ..... Is a reputed company with a good financial standing .If the contract for the work, namely is awarded to the above firm, we shall be able to provide overdraft/credit facilities to the extent of Rs ..... (In words) to meet their working capital requirements for executing the above works.

Signature & Seal of Bank Manager  
Name & Address of Bank.

**ANNEX 8 - ANY OTHER ADDITIONAL INFORMATION**