

**INVITATION FOR
Expression of Interest
(EOI)**

From

Actual operators of vessels, firms having experience of manning, maintenance and operation contract as well as from ship builders, who are equipped to build the boat and provide the services for a term of about five years

**Haldia Dock Complex, KoPT
(May 2017)**

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Disclaimer

1. This EOI document is neither an agreement nor an offer by the Haldia Dock Complex (HDC) to the prospective Applicants or any other person. The purpose of this EOI is to provide information to the interested parties that may be useful to them in the formulation of their proposal pursuant to this EOI and help HDC formulate an exact document for seeking proposal.
2. HDC does not make any representation or warranty as to the accuracy, reliability or completeness of the information in this EOI document and it is not possible for HDC to consider particular needs of each party who reads or uses this EOI document. This EOI includes statements which reflect various assumptions and assessments arrived at by HDC in relation to the assignment. Such assumptions, assessments and statements do not purport to contain all the information that each Applicant may require. Each prospective Applicant should conduct its own investigations and analyses and check the accuracy, reliability and completeness of the information provided in this EOI document and obtains independent advice from appropriate sources.
3. HDC will not have any liability to any prospective applicant or any other person under any laws (including without limitation the law of contract), the principles of equity, restitution or unjust enrichment or otherwise for any loss, expense or damage which may arise from or be incurred or suffered in connection with anything contained in this EOI document, any matter deemed to form part of this EOI document, the award of the Assignment, the information and any other information supplied by or on behalf of HDC or their employees, any consultants or otherwise arising in any way from the selection process for the Assignment. HDC will also not be liable in any manner whether resulting from negligence or otherwise however caused arising from reliance of any Applicant upon any statements contained in this EOI.
4. HDC will not be responsible for any delay in receiving the proposals. The issue of this EOI does not imply that HDC is bound to select an Applicant or to appoint the Successful Applicant, as the case may be, for the assignment and HDC reserves the right to accept / reject any or all of proposals submitted in response to this EOI document at any stage without assigning any reasons whatsoever. HDC also reserves the right to withhold or withdraw the process at any stage with intimation to all who submitted the EOI Application.
5. The information given is not an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. HDC accepts no responsibility for the accuracy or otherwise for any interpretation or opinion on the law expressed herein.
6. HDC reserves the right to change / modify / amend any or all provisions of this EOI document. Such revisions to the EOI / amended EOI will be made available on the website of HDC.

Section 1: Invitation Letter

HALDIA DOCK COMPLEX, KoPT

GMM/224/MAIN/POL/DCP/721

Dated: 29 /05 / 2017

Notice for actual operators of vessels, firms having experience of manning, maintenance and operation contract as well as from ship builders, who are equipped to build the boat and provide the services for a term of about five years

Haldia Dock Complex (HDC,KoPT) invites Expression of Interest (EOI) from actual operators of vessels, firms having experience of manning, maintenance and operation contract as well as from ship builders, who are equipped to build the boat and provide the services for a term of about five years

The EOI document providing the Terms of Reference (ToR) is available on the website of Kolkata Port Trust at the following link. <http://www.kolkataporttrust.gov.in/>

The schedule for the EOI process is as follows:

1. Availability of EOI document on the website	30 th May, 2017 onwards
2. Receipt of inquiries / clarification requests	Upto 6 th June, 2017
3. Receipt of EOI from interested parties	Latest by 30 th June, 2017 1500 Hours
4. Acclimatization Meeting	12 th June, 2017 1200 Hours At Office of Manager(MO), Marine House, Chiranjibpur
5. Address of Submission of EOI	Office of Manager(Marine Operations) HDC,KoPT Chiranjibpur Purba Medinipur, 721607
6. Opening of received EOI submissions	After 1600 Hours on 30 th June, 2017
7. Location of opening of EOI Submissions	Office of General Manager (Marine) Jawahar Tower HDC,KoPT Purba Medinipur-721604
8. Contact person for queries and clarifications	Nilanshu Banerjee Ph: 7478007300 Email: nbanerjee.hdc@nic.in

Reputed and interested consulting firms/ companies/ partnerships/ limited liability partnerships / trusts/ non-government organizations/ not-for-profit organizations/ Government Companies / public corporations / autonomous bodies may download the EOI from the above website and send in their response according to the schedule mentioned above.

Section 2: Background and introduction

Background

In compliance with National Oil Spill Disaster Contingency Plan (NOSDCP), 2 (two) nos of work-boats are required for combating Tier-I oil spill at HDC, KoPT.

Introduction

The broad specification of the boat required by HDC, KoPT is:

PARTICULARS	SPECIFICATIONS PROPOSED (responders may suggest changes in specification with valid reason)
LOA	7 to 10 metres
BEAM	2.5 to 3.5 metres
DRAFT AT HALF LENGTH	1.5 to 2.0 metres
MATERIAL	ANY HULL MATERIAL WILL BE ACCEPTABLE
WEIGHT	NO SPECIFICATION
MAXIMUM LOAD	SHOULD BE ABLE TO TRANSPORT UPTO MINIMUM 4000 Kgs
SPEED	MINIMUM 15 Knots
FUEL	DIESEL
BOLLARD PULL	2 Tons
OPS. CAPACITY	MINIMUM 5 HOURS ENDURANCE AT 50 % MCR

Section 3: Instructions to responders

3.1 Applicants who fulfill the eligibility criteria as mentioned in Section 6 of the EOI document will be considered for empanelled.

3.2 Award of work will be based on a separate bidding and evaluation process of the empanelled agencies.

3.3 HDC will communicate through a written/email intimation to the empanelled agencies along with objective and detailed scope of services.

3.4 HDC shall invite separate technical and financial proposals from the empanelled agencies for each work-boat.

3.5 Clarification and amendment of EOI document

3.5.1. Applicants may seek clarification on this EOI document, within 7 working days of the date of issue of this EOI document. Any request for clarification must be sent by standard electronic means (Word file) / fax to the Client's office on the email address nbanerjee.hdc@nic.in addressed to:

Office of Manager(MO)
Chiranjibpur
HDC,KoPT
Purba Medinipur-721607

3.5.2. At any time before the submission of EOI, the Client may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Applicant, modify the EOI documents by an amendment. All amendments / corrigenda will be posted only on the Client's Official Website. In order to afford the Applicants a reasonable time for taking an amendment into account, or for any other reason, the Client may at its discretion extend the submission due date for EOI.

Submission of proposals

3.6 The envelope containing the proposal should have the following inscription on it, using clear large and legible font. **"DO NOT OPEN EXCEPT IN PRESENCE OF THE EVALUATION COMMITTEE."**

3.7 The document of the proposal must be printed and submitted to the location of submission of the EOI.

3.8 All correspondence in ought to be done in English only.

3.9 No Proposal shall be accepted after the closing time of Proposals.

3.10 After the deadline for submission of proposals the Proposal shall be opened by the Evaluation Committee to evaluate the Applicants.

3.11 After the Proposal submission until the contract is awarded, if any applicant wishes to contact the Client on any matter related to its proposal, it should do so in writing at the Proposal submission address. Any effort by the applicant to influence the Client during the Proposal evaluation, Proposal comparison or contract award decisions may result in the rejection of the applicant's proposal.

Section 4: Terms of Reference

Vessel operators/shipbuilders shall undertake the following:

Scope of work

1. The work-boat shall be used for containment, recovery and dispersal of pollutants during an oil spill incident.
2. It shall be used for circumventing(pre-booming) ships on arrival at oil-jetties and shall be used to remove the same on departure.
3. It must be able to carry flex barges to store the recovered oil by the skimmer.
4. The work-boat must have tank capacity for at least 6 hours of continuous operation.

All the above works should be carried out in view of the specific and unique needs of the coastal area of Haldia and the challenges faced by the HDC,KoPT in achieving the overall oil spill response preparedness.

Deliverables/Expected Outcome from Vessel operators/shipbuilders

1. A clear picture including the financial aspect shall come out on work-boat.
2. The proposal shall help us to frame a detailed scope of work and also help us to freeze the specifications of the boat.
3. The financial aspect of building the boat/ hiring of the boat should be clear.

Section 5: Preparation of proposal

5.1. Applicants are requested to submit their proposal in English Language and strictly in the formats provided in this EOI document. The Client will evaluate only those Proposals that are received in the specified forms and complete in all respects. Any supporting documents submitted by the Applicant with its proposal or subsequently, in response to any query / clarification from Client shall be in English and in case any of these documents is in another language, then it must be accompanied by an accurate translation of all the relevant passages in English, in which case, for all purposes of interpretation of the proposal, the translation in English shall prevail.

5.2. While preparing their Proposal, applicants are expected to thoroughly examine the EOI Document. Material deficiencies in providing the information requested may result in rejection of a Proposal.

5.3. Failure to comply with the requirements spelled out above may lead to rejection of proposal during the evaluation.

5.4. Proposals shall be typed or written in indelible ink and signed by the Authorized Representative of the Applicant. In case of printed and published documents, only the cover shall be initialed. All the alterations, omissions, additions, or any other amendments made to the Proposal shall be initialed by the person(s) signing the Proposal. The Proposals must be properly signed by the Authorized Representative (the "Authorized Representative")

5.5. Applicants should note that no supplementary material will be entertained by the Client after the submission date and time, and that evaluation will be carried out only on the basis of documents received by the closing time of Proposal Due Date as specified in the EOI document. Applicants will ordinarily not be asked to provide additional material information or documents subsequent to the date of submission, and unsolicited material if submitted will be summarily rejected. For the avoidance of doubt, the Client reserves the right to seek clarifications in case the proposal is non-responsive on any aspects.

5.6. A firm can bid for a project either as a sole member or in the form of joint venture with other firms.

5.7. The proposal should provide the following information using the attached Standard Forms:

i. Applicant's experience for recent assignments of similar nature, the outline should indicate, inter alia, the profiles and names of the staff provided, duration of the assignment, contract amount, and firm's involvement.

ii. The comments and suggestions provided by the Applicant on the EOI / Contract / TOR are not binding

vi. On-going assignments can be submitted with detail of progress supported by suitable documents (E.g. copy of invoice or payment received till date or through certificate from the respective client).

viii. Failure to comply with or provide the above listed items in the Technical Proposal may result in disqualification.

The Applicant may modify, substitute, or withdraw its Proposal after submission, provided that written notice of the modification, substitution, or withdrawal is received by Client prior to POD as given in the Data Sheet. No Proposal shall be modified, substituted, or withdrawn by the Applicant on or after the PDD. The modification, substitution, or withdrawal notice shall be prepared, sealed, marked, and delivered in accordance with the provisions of this EOI, with the envelopes being additionally marked "MODIFICATION", "SUBSTITUTION" or "WITHDRAWAL", as appropriate.

5.8. Any alteration / modification in the Proposal or additional information or material supplied subsequent to the POD, unless the same has been expressly sought for by Client, shall be disregarded.

Section 6: Eligibility criteria for firm

S. No.	Eligibility criteria	Document to be provided by responder
6.	<p>The bidder should be a company registered under the Companies Act, 2013, or</p> <p>A partnership firm registered under Indian Partnership Act, 1932, or</p> <p>A Trust registered under the Indian Trusts Act, 1882, or</p> <p>A Non-Government Organisation (NGO) registered under the Societies Registration Act, 1860, or</p> <p>A Not-for-Profit Organisation registered under the Societies Registration Act, 1860, or</p> <p>A Limited Liability Partnership registered under the Limited Liability Partnership, 2008, or</p> <p>A Government Company registered under the Companies Act, 2013, or</p> <p>A Public Corporation created by an Act of Parliament, or</p> <p>An Autonomous Body registered under the Societies Registration Act, 1860</p> <p>and should have been operating in India for the last 3 years as on 30 April 2017.</p>	Certificate of Incorporation / Registration

Annexures

Form 1: Cover Letter for EOI Submission

[Location, Date]

To,

General Manager(Marine)

HDC, KoPT

Jawahar Tower, Haldia

Purba Medinipur-721604

EOI dated [insert date and month], 2017, Actual operators of vessels, firms having experience of manning, maintenance and operation contract as well as from ship builders, who are equipped to build the boat and provide the services for a term of about five years

Dear Sir,

With reference to your EOI document dated, we, having examined all relevant documents and understood their contents, hereby submit our Pre- Qualification Proposal for selection of **actual operators of vessels, firms having experience of manning, maintenance and operation contract as well as from ship builders, who are equipped to build the boat and provide the services for a term of about five years**. The Proposal is unconditional and unqualified.

We are submitting our Proposal as [sole applicant / JV / Consortium] [with] [insert a list with full name and address of each JV / Consortium / Consultant].

We understand you are not bound to accept any Proposal you receive.

If negotiations are held during the period of validity of the Proposal, i.e., before [date], we undertake to negotiate on the basis of the proposed staff. Our Proposal is binding upon us, subject only to the modifications resulting from negotiations in accordance with the EOI.

Further:

1. We acknowledge that HDC will be relying on the information provided in the Proposal and the documents accompanying the Proposal for selection of the organization, and we certify that all information provided in the Proposal and in the supporting documents is true and correct, nothing has been omitted which renders such information misleading; and all documents accompanying such Proposal are true copies of their respective originals.

2. We shall make available to HDC any additional information it may deem necessary or require for supplementing or authenticating the Proposal.

3. We acknowledge the right of HDC to reject our application without assigning any reason or otherwise and hereby waive our right to challenge the same on any account whatsoever.

4. We certify that in the last 3 years, we have neither failed to perform on any contract, as evidenced by imposition of a penalty by an arbitral or judicial authority or a judicial pronouncement or arbitration award against the Applicant, nor been expelled from any project or contract by any public authority nor have had any contract terminated by any public authority for breach on our part.

5. We declare that:

(a) We have examined and have no reservations to the EOI, including any Addendum issued by the Client;

(b) We do not have any conflict of interest in accordance with the terms of EOI

(c) We have not directly or indirectly or through an agent engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as defined in the EOI document, in respect of any tender or request for proposal issued by or any agreement entered into with Client or any other public sector enterprise or any government, Central or State; and

(d) We hereby certify that we have taken steps to ensure that no person acting for us or on our behalf will engage in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice.

6. We understand that you may cancel the selection process at any time and that you are neither bound to accept any Proposal that you may receive nor to select the Consultant, without incurring any liability to the Applicants.

7. We declare that we are not a member of any other Consortium / JV applying for selection as a Consultant.

8. We certify that in regard to matters other than security and integrity of the country, we or any of our affiliates have not been convicted by a court of law or indicted or adverse orders passed by a regulatory authority which would 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.

9. We further certify that in regard to matters relating to security and integrity of the country, we have not been charge-sheeted by any agency of the Government or convicted by a court of law for any offence committed by us or by any of our affiliates. We further certify that neither we nor any of our consortium members have been barred by the central government, any state government, a statutory body or any public sector undertaking, as the case may be, from participating in any project or bid, and that any such bar, if any, does not subsist as on the date of this EOI.

10. We further certify that no investigation by a regulatory authority is pending either against us or against or against our CEO or any of our Directors / Partners / Managers.

11. We hereby irrevocably waive any right or remedy which we may have at any stage at law or howsoever otherwise arising to challenge or question any decision taken by Client in connection with the selection of Consultant or in connection with the selection process itself in respect of the above mentioned Project.

12. We agree and understand that the proposal is subject to the provisions of the EOI document. In no case, shall we have any claim or right of whatsoever nature if the consultancy for the Project is not awarded to us or our proposal is not opened or rejected.

13. We agree to keep this offer valid for one hundred eighty (180) days from the POD specified in the EOI.

14. We have studied the EOI and all other documents carefully. We understand that except to the extent as expressly set forth in the Contract, we shall have no claim, right or title arising out of any documents or information provided to us by Client or in respect of any matter arising out of or concerning or relating to the selection process including the award.

15. We agree and undertake to abide by all the terms and conditions of the EOI Document.

We remain

Yours sincerely,

Authorized Signature [In full and initials]: Name and Title of Signatory:

Name of Firm: