

**PUBLIC PRIVATE PARTNERSHIP
REQUEST FOR EXPRESSION OF INTEREST 2022**

**MINISTRY OF RAILWAY
EASTERN RAILWAY WORKSHOP, KANCHRAPARA**

**CHIEF WORKS MANAGER
EASTERN RAILWAY WORKSHOP
KANCHRAPARA
PIN-743145**

Request for Expressions of Interest for the ‘PSA OXYGEN GENERATING PLANT’.

(No. EPD/W/CON/PPP/OXYGEN PLANT/2021-22)

NOTICE

Details	Timeline
Name of work	Installation, operation, commissioning of oxygen generation plant for production of PSA oxygen under public private partnership (BOOT model) at KPAW
Date of availability of EOI document at Kanchrapara website (www.er.indianrailways.gov.in)	From 12 th January’ 2022
Pre-bid program briefing meeting	21 th January’ 2022, 11.00 am, at CWM/KPA’s Conference Hall, Eastern Railway Workshop, Kanchrapara
Last date of submission of bids	9 th February’ 2022, till 14.30 pm
Opening of bids	9 th February’ 2022, at 15.00 pm

INDEX

	DISCLAIMER	4-5
1	INTRODUCTION	5-5
2	EXPRESSION OF INTEREST.....	5-6
3	PURPOSE OF ISSUING THIS EOI.....	6-6
4	OBJECTIVE AND SCOPE OF WORK / SERVICES	6-7
5	PROPOSED ROLE AND RESPONSIBILITIES OF DIFFERENT PARTIES	7-7
6	CREDENTIALS.....	7-7
7	ELIGIBILITY CRITERIA / QUALIFICATION/INSTRUCTION.....	8-8
8	ONE BID PER BIDDER.....	8-8
9	EOI DOCUMENT.....	9-9
10	CLARIFICATION ON EOI DOCUMENT	9-9
11	PREPARATION OF BIDS	9-10
12	FORM OF BID	10-10
13	DURATION OF THE PARTNERSHIP	10-10
14	FORMAT AND SIGNING OF BID	10-10
15	SUBMISSION OF BID	11-11
16	LATE AND DELAYED EOI	11-11
17	BID OPENING AND EVALUATION	12-12
18	EOI PROCESSES AND PROGRAM/SCHEME BRIEFING MEETINGS	12-12
	 SCHEDULE -I: EXPRESSION OF INTEREST TEMPLATE.....	 13-13
	SCHEDULE -II: CRITERIA OF EVALUATION FOR BIDDERS.....	14-14

DISCLAIMER

The information contained in this Request for Expressions of Interest (**EOI**) or subsequently provided to Applicants, whether verbally or in documentary or any other form by or on behalf of the Implementing Authority, Chief Works Manager/ Kanchrapara, 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.

This EOI is not an agreement and is neither an offer nor invitation by the Implementing Authority to the prospective Applicants or any other person. The purpose of this EOI is to provide interested parties with information about the PPP Project, to gather information about all interested firms, and to record any concerns of interested firms. The Expression of Interest shall not be used to either shortlist or disqualify applicants. Any entity which has not submitted Expression of Interests shall also be allowed to participate in the Request for Qualification stage according to terms and conditions that may be specified thereof.

This EOI includes statements, which reflect various assumptions and assessments arrived at by the Implementing Authority in relation to the PPP Project. Such assumptions, assessments and statements do not purport to contain all the information that each Applicant may require. This EOI may not be appropriate for all persons, and it is not possible for the Implementing Authority, it's a d v i s o r s to consider the investment objectives, financial situation 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, statements and information contained in this EOI and obtain independent advice from appropriate sources.

Information provided in this EOI to the Applicant(s) is on a wide range of matters, some of which depends 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. None of the Implementing Authority, its employees, or officers accepts any responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein. The Implementing Authority, its employees and officers make no representation or warranty and shall have no liability to any person, including any Applicant or Bidder under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this EOI or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of the EOI and any assessment,

assumption, statement or information contained therein or deemed to form part of this EOI or arising in any way by the participation in this prequalification process.

The Implementing Authority, its employees or officers, likewise accept no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any Applicant upon the statements contained in this EOI. The Implementing Authority may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this EOI. The Implementing Authority reserves the right to discontinue the process without assigning any reason whatsoever.

The Applicant shall bear all its costs associated with or relating to the preparation and submission of its Expression of Interest including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by the Implementing Authority or any other costs incurred in connection with or relating to its Expression of Interest. All such costs and expenses will remain with the Applicant and the Implementing Authority shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by an Applicant in preparation or submission of the Expression of Interest, regardless of the conduct or outcome of the procurement process.

1. INTRODUCTION :

Eastern Railway Workshop, Kanchrapara (KPAW) is the premier railway workshop of the country. Presently KPAW is engaged in the following activities like POH of Electric Locomotives, POH of EMU/MEMU/DEMU Motor Coaches, POH of EMU Trailer Coaches etc. During POH different types of oxy-cutting operations are involved due to which huge quantity of PSA Oxygen is required for performing day to day work.

Therefore, Eastern Railway Workshop, Kanchrapara plans to operationalize an integrated structure of Oxygen Generating Plant with Public Private participation. In order to provide uninterrupted supply of oxygen to be ensured, this Workshop plans to engage one or more private partners with required experience in this field.

2. EXPRESSION OF INTEREST :

This Expression of Interest intends to communicate, receive desired information and concretize on types and extent of PSA oxygen plant, various models of engagement of Public private partner possible, roles and responsibilities of different stakeholders, standards of service level delivery and benchmarking etc, and thereafter, short listing of interested Public private partners/applicants for aforementioned purposes. Subsequently, a RFP (REQUEST FOR PROPOSAL) will be issued on the basis of above, and suitable vendors/partners will be selected to operationalize the scheme.

This EOI is for deciding/finalizing scope and extent of short listing of private agencies/partners which will help Eastern Railway workshop, Kanchrapara in organizing and starting Oxygen generating Plant and supply system in various shops in this works.

Eastern Railway may shortlist/select one or many partners for the next stage of RFP. Further, the final selection would be of one or many bidders, together or separately. It will be the complete discretion of Eastern Railway to decide on this issue.

Private Agencies of good standing and repute having skills, capacities and experience in the providing similar services are invited to submit their proposals to Eastern Railway workshop, Kanchrapara.

3. PURPOSE OF ISSUING THIS EOI :

The EOI is prepared in terms of the Govt. of India's latest Public Private Partnership Rules and Regulations, as amended. Where a conflict exists, the PPP Rules and Regulations shall prevail.

The purpose of issuing the EOI is to:

- a. Disseminate information about the Project;
- b. Gather information about all interested firms; and
- c. Record concerns of the interested firms.

The Expression of Interest may be used by the Implementing Authority to better determine private sector interest in the project, and may also be used to seek suggestions from private entities on how best to design the Project scope or other parameters of the PPP Project.

The Expression of Interest shall not be used to either shortlist or disqualify applicants. Any entity which has not submitted an Expression of Interests shall also be allowed to participate in the RFQ (Request for Quotation) stage according to terms and conditions that may be specified thereof.

4. OBJECTIVE AND SCOPE OF WORK / SERVICES :

- 4.1 Eastern Railway/KPAW is proposed to be developed with the participation of Public Private sector Partners on BOOT (build – own – operate - transfer) Model to fulfill the requirement of PSA oxygen.

The exact type and scope of involvement and responsibilities would be decided before issue of detail RFP. However a proposed model of involvement is discussed in the following paragraphs.

In brief, the proposed model envisages Railway Involvement in providing space building and other basic infrastructural facilities, whereas Private Partner would be responsible for providing necessary equipment, machinery plants, consumables, technical and other man power and for running and maintaining the plant. The monitoring would be in the hands of Railway, which will be exercised through designated authority /agency/committee.

The Public private partner will be responsible for entire operation and management of the Oxygen Generating Plant under Railway Supervision.

Plant Capacity: Requirements of Oxygen in this workshop is approx. **5,58,432 m³/ year.**
Purity of the Oxygen: 99.5%,
Pressure: 150 kg/cm² or Bar.
Maximum operating Pressure in Oxygen Pipe line: 15 kg/cm² or Bar.
Plant type: - PSA based Oxygen Generating Plant. With provision for both liquid and gaseous oxygen with refilling facility in the cylinder so that any break-down in the pipeline, the refilling cylinder may be provided at the breakdown site for fulfilling the requirement of oxygen.
Reservoir capacity: Should be capable enough to storage of oxygen for minimum 3 days consumption.

5. PROPOSED ROLE AND RESPONSIBILITIES OF DIFFERENT PARTIES:

Public Private Sector:

- (i) To provide all equipment and man power.
- (ii) Develop and operate the plant as per various National and International standards.
- (iii) Recruit/Staff human resource for operation and maintenance of the plant.
- (iv) Maintenance and up gradation of the plant.
- (v) Adhere to its all contractual obligation.
- (vi) No other activities of any kind will be permitted in the place or on the premises.
- (vii) The contractor will be responsible for the entire safety and security of plant, staff, material deployed by him for the work.
- (viii) To undertake necessary civil works.
- (ix) Complete installation and maintenance of pipeline has also to be carried out by the firm itself in both loco and carriage complex of KPAW as per direction of Railway Authority.
- (x) Energy meter required for metering the electrical energy consumption shall be installed by the firm. Any other electrical work involved for this project shall also to be done by the firm.
- (xi) Firm must provide minimum 100 (one hundred) nos. of cylinder for supply of oxygen to different shops under KPAW where pipeline facility shall not be possible/feasible or in case of emergency/breakdown of supply pipeline or any other breakdown.

Railway Sector:

- (i) Provide space for setting up of plant.

6. CREDENTIALS:

Applicant having experience in this field should attach the credential along with EOI. The Applicant will be responsible for any lapses arise out of non-compliance of State rules concerning Income Tax, GST etc. and ESIC or EPF/ Insurance of his employees and all other prevailing rules.

The applicant shall not employ any labour below the age of 18 years and shall pay his laborers not less than the wages paid for similar work. The contractor should pay minimum wages to the workers working under him as per the revised rates for various scheduled employments as per the revised guidelines issued by Chief Works Manager, Kanchrapara, Eastern Railway.

Contract is liable for termination if the work done is not satisfactory, with notice as per rules. The contract will be responsible for the entire safety and security of man, material deployed by him for the work.

Besides this, all general condition of contract-2020 is applicable which can be downloaded from website www.er.indianrailways.gov.in.

7. ELIGIBILITY CRITERIA / QUALIFICATION /INSTRUCTION:

- 7.0 Only Indian originated firm will be eligible for the said project to apply EOI.
 - 7.1 The Applicant should have been in existence for last five years from the last date of submission of bid.
 - 7.2 Bidder should have to submit necessary documentary evidence for successfully installation certificate of at least one similar PSA oxygen generating plant.
 - 7.3 The Applicant should have not been blacklisted by any state or central government or agency.
 - 7.4 The affidavit to this effect need to be submitted with the bids. The agency should preferably not be under litigation with any state or central government organization or agency in any court of LAW. An affidavit making discloser of such litigation or free from litigation status must be enclosed with the bids.
 - 7.5 The Applicant, to qualify for short listing, shall submit a power of attorney authorizing the signatories of the bid to commit each member of the partnership / consortium / joint venture, if applicable.
 - 7.6 Memorandum of Understanding shall have to be provided in case the bidder comprises of partnership / consortium / joint venture.
 - 7.7 Details of the intended participation by each member shall be furnished with complete details of the proposed division of responsibility and corporate relationship among the individual members.
 - 7.8 The applicant shall submit full details of his ownership and control or, if the applicant is a partnership, joint-venture or consortium, full details of ownership and control of each member thereof.
 - 7.9 Applicant or members of a partnership / consortium / joint venture, shall submit a copy of PAN card no. under Income Tax Act.
- Applicant must submit copies of all documents required, duly self attested, along with technical bid of the EOI.
- Canvassing or offer of an advantage or any other inducement by any person with a view to influencing acceptance of a bid will be an offence under laws of India. Such action will result in the rejection of the bid, in addition to other punitive measures.
- Railway Board policies issued from time to time will be adhered to.

8. ONE BID PER BIDDER:

Each applicant shall submit only one EOI either by himself or as a partner in joint-venture or as a member of consortium. If, an Applicant or if any of the partner in a joint venture or any of the members of the consortium participate in more than one Bid, the Bids are liable to be rejected.

9. EOI DOCUMENT:

Contents of EOI Document

The Expression of Interest Document has been prepared for the purpose of inviting interested bidders for short listing of agencies. This document comprises of following:

- A. Notice inviting Expression of Interest.
- B. Detailed Document of Eoi comprising the terms and conditions
- C. Technical Forms to be filled and submitted by the applicants/bidders
(Scheduled – I & II)

The bidder is expected to examine all instructions, Forms, Terms and Conditions in this Eoi document. Failure to furnish all information required by the Eoi document or submission of Eoi not substantially responsive to the Eoi document in every respect will be at the bidder's risk and may result in rejection of his bid.

The bidder shall not make or cause to be made any alteration, erasure or obliteration to the text of the Eoi document.

10. CLARIFICATION ON EOI DOCUMENT :

In case the bidder has any doubt about the meaning of anything contained in the Eoi document, he shall seek clarification from the Office of Chief Works Manager, Eastern Railway Workshop, Kanchrapara not later than one week before submitting his bid. Any such clarification, together with all details on which clarification had been sought, will be copied to all bidders. All communications between the bidder and Chief Works Manager, Eastern Railway Workshop, Kanchrapara shall be carried out in writing/email.

Except for any such written clarification by the Chief Works Manager, Eastern Railway Workshop, Kanchrapara, which is expressly stated to be an addendum to the Eoi document issued by Chief Works Manager, Eastern Railway Workshop, Kanchrapara, no written or oral communication, presentation or explanation by any other employee of Chief Works Manager, Eastern Railway Workshop, Kanchrapara shall be taken to bind Chief Works Manager, Eastern Railway Workshop, Kanchrapara under the contract.

11. PREPARATION OF BIDS :

Language:

The bids and all accompanying document shall be in English. In case any accompanying documents are in other languages, it shall be accompanied by an English translation. The English version shall prevail in matters of interpretation.

Documents comprising the Bid:

EOI document issued for the purposes of EOI and any amendments issued shall be deemed as incorporated in the Bid.

The bidder shall, on or before the date given in the Notice Inviting EOI, submit his bid. The bidder shall submit the technical bid in sealed envelopes clearly marked with the name of the EOI.

One copy of the EOI document and Addenda, if any, thereto with each page signed and stamped shall be attached to acknowledge the acceptance of the same.

These shall be addressed to the Chief Works Manager, Eastern Railway Workshop, Kanchrapara and submitted in the Office address given in the EOI document.

The Bidder shall also be required to submit a written concept plan, working methodology, types and extent of PSA Oxygen Generating Plant to be covered, proposed model of participation, roles and responsibilities of different stakeholders, standards of service level delivery and benchmarking etc. This plan should also contain an executive summary along with flow chart and diagrams so as to communicate properly the whole concept and plan.

12. FORM OF BID :

The Form of Bid shall be completed in all respects and duly signed and stamped by an authorized and empowered representatives of the Bidder. If the Bidder comprises a partnership firm, consortium or a joint venture, the Form of Bid shall be signed by a duly authorized representative of each member of participant thereof. Signatures on the Form of Bid shall be witnessed and dated. Copies of relevant power of attorney shall be attached.

13. DURATION OF THE PARTNERSHIP :

The contract is proposed to be initially for five years, which may further be extended on mutual agreement of both parties. However, Eastern Railway Workshop, Kanchrapara reserves the right to curtail or to extend the validity of contract on the same rates and terms and conditions for such period as may be agreed to.

14. FORMAT AND SIGNING OF BID :

The bidder shall submit one copy of the EOI document and addenda, if any, thereto, with each page of this document signed and stamped to confirm the acceptance of the terms and conditions of the EOI by the bidder.

The documents comprising the bid shall be typed or written in indelible ink and all pages of the bid shall be signed by a person or persons duly authorized to sign on behalf of the bidder. All pages of the bid, where entries or amendments have been made, shall be signed by the person or persons signing the bid.

The bid shall contain no alterations, omissions or additions except those to comply with instruction issued by the Corporation, or are necessary to correct errors made by the bidder, in which case such corrections shall be initialed/signed and dated by the person or persons signing the bid.

15. SUBMISSION OF BID :

15.1 The bidder shall submit the Bid in a sealed cover duly super scribed with “**Bids for Public-Private Partnership for PSA Oxygen Generating Plant**, Chief Works Manager, Eastern Railway Workshop, Kanchrapara.

The sealed cover of Pre-qualification Bid and Technical Bid should consist of the following documents, in addition to other documents/forms:-

- (a) Details of the firm/agency with name, official's details, Office/Residential address and office Telephone numbers, whether the bidder is a sole proprietor/partnership firm and if partnership firm, names addresses and telephone numbers of Directors/Partners also;
- (b) Self attested copy of PAN card No. under Income Tax Act;
- (c) Self attested copy of GST Number;
- (d) Self attested copy of Valid Registration No. of the Agency/Firm;
- (e) Self attested copy of valid Provident Fund Registration Number;
- (f) Self attested copy of valid ESI Registration Number;
- (g) Self attested copy of valid Licence and Number under Contract Labour Act and under any other Acts/Rules;
- (h) Proof of Average Annual turnover supported by audited Balance Sheet;
- (i) Duly filled and signed “Schedule-I & II”

The sealed cover shall be addressed to the Chief Works Manager, Eastern Railway Workshop, Kanchrapara and will be put in the Eol Box which is available in the counter of Chief Works Manager, Eastern Railway Workshop, Kanchrapara at the following address:

**Chief Works Manager,
Eastern Railway Workshop, Kanchrapara,
Dist:- 24 Parganas (North),
PIN-743 245**

16. LATE AND DELAYED EOI :

Bids must be received in Chief Works Manager, Eastern Railway Workshop, Kanchrapara at the address specified above not later than the date and time stipulated in the Eol Document. Chief Works Manager, Eastern Railway Workshop, Kanchrapara may, at its discretion, extend the deadline for submission of bids in which case all rights and obligations of Chief Works Manager, Eastern Railway Workshop, Kanchrapara.

Any bid received by Chief Works Manager, Eastern Railway Workshop, Kanchrapara after the timeline for submission of bids, as stipulated above, shall not be considered and will be returned unopened to the bidder.

17. BID OPENING AND EVALUATION :

The bid of all the bidders shall be evaluated according to Schedule-II attached with this EoI.

The authorized representatives of Chief Works Manager, Eastern Railway Workshop, Kanchrapara will open the Bids in the presence of the Bidders or of their representatives who choose to attend at the appointed place and time.

The bid of any bidder who has not complied with one or more of the conditions will be summarily rejected.

Subsequently, the technical bids will be evaluated by the evaluation team as per the terms and conditions of this document.

Railway Authority has right to accept any bid and to reject any or all bids.

Chief Works Manager, Eastern Railway Workshop, Kanchrapara is not bound to accept any or all bid and may, at any time by notice in writing to the bidders, terminate the EoI process.

Chief Works Manager, Eastern Railway Workshop, Kanchrapara may terminate the contract if it is found that the agency is blacklisted on previous occasions by any of the Departments/Institutions/Local Bodies/Municipalities/Public Sector Undertakings, etc.

18. EOI PROCESSES AND PROGRAM/SCHEME BRIEFING MEETINGS :

Chief Works Manager, Eastern Railway Workshop, Kanchrapara will hold at least one Program Briefing Meeting with prospective bidders/private partners before the closing of the EoI, on the date as specified in the timeline at the beginning of this document. Depending on the requirement and for concretizing the scheme, scope of work and terms of engagements, there could be more such Program Briefing Meetings, date and time of which would be notified suitably.

After shortlisting of bidders/private partners, Chief Works Manager, Eastern Railway Workshop, Kanchrapara will again hold at least one Program Briefing Meeting before issuing RFP document. Again, there could be more than one such Program Briefing Meetings, the date and time of which would be intimated to successful shortlisted bidders through email/phone and through website.

SCHEDULE – I : EXPRESSION OF INTEREST TEMPLATE

1	Applicants legal name	
2	In case of Consortium legal name of each member	
3	Applicants legal address	
4	Applicant's authorized representative information (Name, Designation, Address, Telephone, FAX, E-mail)	
5	Any relevant information on the applicant or consortium members related to the competence and ability to undertake the PPP Project.	
6	Any comments or issues of concern regarding the PPP Project	
7	Any questions regarding the PPP Project that have not yet or not adequately been answered by the Implementing Agency.	
The Applicant or Consortium Members may optionally provide general information on their entities, such as annual reports, company brochures, or other information on relevant project experience.		

SCHEDULE – II : CRITERIA OF EVALUATION FOR BIDDERS

1	Plant capacity	
2	Pressure of Oxygen at plant level (in kg/cm ²)	
3	Purity of oxygen	
4	Maximum operating pressure in oxygen pipeline (in kg/cm ²)	
5	Requirement of land area (in m ²)	
6	Unit rate of PSA oxygen	
7	Power requirement (in KW)	
8	Any other requirements	
9	<p><u>Work experience</u></p> <p>(Bidders should have to submit necessary documentary evidence for successfully installation certificate of at least one similar PSA oxygen generating plant.)</p>	
10	<p><u>Financial:</u></p> <p>(Bidders should have to submit audited balance sheet or profit & loss statement or verified IT return copy or bank reference certificate duly certified by Chartered Accountant)</p>	
11	The Bidders should have to submit their quality assurance plan.	
12	The Bidders should be ISO certified firm. Necessary certificate should be submitted along with Bid Documents.	
13	To implement 'Make in India' policy, Bidders must submit their Indian Nationality documents.	