



Corporate Office:  
Core-1, Scope Complex, Lodhi Road,  
New Delhi-110 003  
CIN: LF 51909 DL 1963 GOI 004033

INVITES

### EXPRESSION OF INTEREST

Please note that off-line applications received till 24th 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 till September, 2019.

*For Empanelment of prospective applicants capable of supplying imported Bitumen 60/70 – 80/100 grades conforming to international standards*



## Expression of Interest

No. MMTC/CO/GT/NB/EOI/BIT/2011-12/3

Date: 25.04.2019

### 1- GENERAL

MMTC Limited, a Govt. of India Enterprise, having their Corporate Office at Core-1, Scope Complex, Lodhi Road, New Delhi-110 003 (hereinafter called 'MMTC'). MMTC Limited was set up in 1963 under the Ministry of Commerce, Government of India. The applicant is engaged in international and domestic trading of commodities/products. The commodities/products handled by the applicant are minerals, metals, precious metals, fertilizer & fertilizer raw materials, coal & hydrocarbon, agro commodities and general trading.

MMTC intends to empanel prospective applicants capable of supplying imported *Bitumen 60/70 – 80/100 grades* conforming to International Standards for supply to Indian market. Supply of Bitumen should be from Countries which are not on sanction list.

The supplies shall only be affected against the specific request/s from end users in India for their requirement of Imported *Bitumen 60/70 – 80/100 grades*. The import would be governed by Law of Republic of India.

MMTC Limited hereby invites Expression of Interest (EOI) from prospective applicants (Overseas manufacturer / overseas traders) who fulfill the eligibility criteria mentioned below:

### 2- ELIGIBILITY CRITERIA OF APPLICANTS

The Applicants (overseas manufacturer / overseas traders) meeting all the following conditions need only apply:

- (a) The applicant should be a supplier of *Bitumen 60/70 – 80/100 grades* and should have successfully executed supplies of imported bitumen of the specified grades (*60/70 – 80/100 grades*) for at least Rs.100 Crs of Bitumen to the Indian market during the last two financial years.
- (b) The applicant's applicant shall be making profits in the last two years. Copies of audited balance sheets shall be submitted along with the EOI.

### 3- INSTRUCTIONS TO APPLICANTS

#### Checklist of documents/information to be submitted

The interested applicant should submit the following information /documents as per the format(s) attached herewith along with their detailed proposal in a sealed envelope with each page stamped and initialed.

- (a) Applicant's Profile
- (b) Audited Balance Sheet of last two financial years.
- (c) Signed copy of the EOI document
- (d) Applicant to submit their credit rating report by Dun & Bradstreet / S&P / Moody's / ICRA / CRISIL / CARE. 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.
- (e) Applicant's Catalogue, Product literature and Brochures. ISO certification
- (f) Copy of documents like Certificate of incorporation, Memorandum of Association, copy of the license etc. duly self attested.
- (g) Bank certificate from Scheduled Bank on credit worthiness and dealings with details regarding Overdraft / Credit / BG / LC limit and its utilization / availment etc.
- (h) Board resolution / letter from the partners authorizing all or any of the Directors/partner to sign the documents.

- (i) Affidavit (as Annexure –III ) to the effect that the applicant has not been black listed by any Government agencies/State agencies / MMTC as on date.

All the details as required in this EOI would need to be provided on or before the deadline for submission of EOI, failing which the EOI would be summarily rejected.

#### **4- DEADLINE FOR SUBMISSION OF EXPRESSION OF INTEREST**

The EOI will be kept open for empanelment till 24.09.2019.

The **first deadline** for submission of the Expression of Interest is 1200 hrs IST on 24th May, 2019 and bid opening time on 24th May, 2019 at 1500 hrs IST.

The **second deadline** for submission of applications would be 1200 hrs IST on 24th Jun, 2019 and bid opening time on 24<sup>th</sup> Jun, 2019 at 1500 hrs IST.

The **Third deadline** for submission of applications would be 1200 hrs IST on 24th July, 2019 and bid opening time on 24<sup>th</sup> July, 2019 at 1500 hrs IST.

The **fourth deadline** for submission of applications would be 1200 hrs IST on 24th August, 2019 and bid opening time on 24<sup>th</sup> August, 2019 at 1500 hrs IST.

The **last and final deadline** for submission of applications would be 24th September, 2019 by 1200 hrs IST and bid opening time on 24th September, 2019 at 1500 hrs IST.

#### **5- PLACE FOR SUBMISSION OF EXPRESSION OF INTEREST & METHOD OF DELIVERY**

The Expression of Interest, containing the specified documents should be enclosed in a sealed envelope addressed to Dr A.P. Mishra, Additional General Manager (Projects & GT), MMTC Limited, Core-1, Scope Complex, Lodhi Road, New Delhi- 110 003, India and should be sent by Courier / Registered Post / Speed Post or the same can be submitted to R&I Section of MMTC Limited located in First Floor, MMTC LIMITED Core-1, Scope Complex, Lodhi Road, New Delhi-110 003.

Acknowledgement of submission of offer may be taken at the time of submission of bid.

MMTC will not accept facsimile, Internet or email bid offers.

## **6- LATE RECEIVED EXPRESSION OF INTEREST**

Any EOI will be deemed to be late if it is received after the expiry of deadline and considered in the next bidding process with the last deadline i.e. 1200 hrs on 15.03.2019

## **7- REQUEST FOR STATUS UPDATE ON EVALUATION PROCESS**

MMTC will not accept or respond to Applicant's request for information on the status and progress of the EOI evaluation process.

## **8- OWNERSHIP OF EOI DOCUMENTS AND INFORMATION THEREIN**

All Expression of Interest documents will become the property of MMTC upon submission.

Where the Applicant believes that information provided in response to this EOI is, or should be kept confidential, or disclosure of this information would unreasonably affect the Applicant's business affairs, notice is to be given at the time of delivery of the information or documents by clearly marking such information 'confidential'. In so far as is practicable, MMTC will give effect to the Applicant's stated wishes, and requests for access to such information will be determined under the RTI Act.

## **9- NO CONTRACTUAL OBLIGATION**

MMTC is not bound contractually or in any other way to any Applicant to this Expression of Interest. MMTC is not liable for any costs of compensation in relation to the consideration of this Expression of Interest or any Expression of Interest by the Applicant to this Expression of Interest whether or not MMTC terminates, varies, or suspends the Expression of Interest process.

## **10- SHORTLISTING OF APPLICANTS AND TERMS FOR REFERENCE**

The short listed applicants will be informed regarding their empanelment.

The major terms and conditions applicable for further business with the short listed applicants are as under: –

- a) MMTC shall be finalizing a panel of short listed applicants which shall be valid for three years from the date of creation of panel. The selected applicants will form part of MMTC's panel who will act as a backup applicant for MMTC Limited
- b) MMTC would be participating in the domestic tenders for supply of bitumen.
- c) Prior to submission the offer to the Tender Authority, MMTC will decide on the back up applicant amongst the panel created. The terms for participation would be on back to back basis as specified in tender documents/enquiry.
- d) The selected applicant shall ensure compliance of the tender condition.
- e) The applicant shall also undertake to abide by the statutory requirement of the Indian Government from time to time.
- f) As there would be a limitation on the number of applicants from the panel to be created for participation in tender / enquiry, the selection of ultimate applicant from panel created would be on the basis of technical and commercial competency of the applicant and past performance and the decision of MMTC shall be final and binding.
- g) The applicant shall adhere to the specifications agreed to by MMTC with their customer(s) and shall also offer test certificates of the inspection conducted by internationally reputed inspection agency at the load port while supplying the cargo. The load port inspection conducted by internationally reputed inspection agency to be nominated by Buyer/MMTC shall be binding on the Applicant & MMTC and its Buyer.
- h) The Applicant shall have to submit a Security Deposit in the form of DD / Bank Guarantee (As per MMTC format) for 5% of C&F value of the order on placement of order on them. Bank Guarantee should be through prime International bank or through scheduled commercial bank operating in India. The bank guarantee shall be valid till completion of supplies and the same shall be released after satisfactory execution of the order.
- i) MMTC reserves the right to add / delete in this list of Empanelled Associates at its sole discretion.

## **11– DISCLAIMER**

The issue of this document does not in any way commit or otherwise obliges MMTC to proceed with all or any part of a tender process.

The EOI Request is not the subject of any process contract or any contractual obligations between MMTC and Applicants.

MMTC may, at its absolute discretion, elect to abandon any, part or whole of the process without giving prior notice to the Applicants.

## **12– INDEMNITY:**

The Applicant shall keep MMTC indemnified at all times against any claims / liabilities / proceedings etc., from any third party or otherwise arising out / or in connection with this EOI.

## **13– 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.

## **14 FRAUD PREVENTION**

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

The Applicant(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 Applicant(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 Applicant(s)/Contractor(s)/Buyer(s)/Vendor(S) shall not enter with other Applicants 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 Applicant(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 Applicant(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 Applicant(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 Applicant(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 Applicant(s)/ Contractor(s)

Buyer(s)/ Vendor(S) from undertaking any transaction with MMTC and/or declare the applicant(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 Applicant(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.

#### **15. Holiday Listing**

Notwithstanding anything contained in this agreement, MMTC's policy for Holiday listing of an agency mutatis mutandis applies to this EOI 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.

**QUESTIONNAIRE**

(To be submitted along with the EOI)

1.	Name and address of the Applicant.		
2.	Year of Establishment		
3.	Name of Contact Person.		
4.	Telephone No.		
	Fax No.		
	e-mail ID.		
5.	GSTIN Registratioin		
	Income Tax – PAN.		
6.	Nature of business.		
7.	Details of Supply / Exports / Projects executed	Attach list with name of Project and approximate value	
8.	i) Supporting documents of applicant such as Registration Certificates with various tax authorities or Government Departments	<u>ATTACHED</u>	<u>Not Attached</u>
	ii) Credit Rating Report	<u>ATTACHED</u>	<u>Not Attached</u>
	iii) Solvency certificate from Banks	<u>ATTACHED</u>	<u>Not Attached</u>
	iv) All terms specified in EOI	<u>ACCEPTED</u>	<u>Not Accepted</u>
	v) Has the applicant being blacklisted/banned by any Indian Government Undertaking from participating in any tenders. Annex III	<u>Yes</u>	<u>No</u>
	vi) Whether blacklisted / banned on the date of application?	<u>Yes</u>	<u>No</u>
9.	<u>Turnover &amp; Profit After Tax</u> FY 2016–16 FY 2017–18 Net worth as on Last Balance Sheet Date :		

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

(Authorized Signatory  
Applicant Seal and Signatur

**SCHEDULE OF EXPERIENCE**

(To be submitted along with the EOI)

The Applicant shall furnish hereunder the details of supplies made to Indian customers during the last two years period (please furnish documentary proof like copies of purchase orders, supply invoices, bill of lading etc.)

Sl. No.	Description of material and quantity supplied	Value of Contract	Period of Contract	Customer's name and address	Persons to whom reference can be made

(Authorized Signatory)

Applicant Seal and Signature

(Letter Head of Applicant)

To,

MMTC Limited Core 1

Scope Complex

Lodi Road Institutional Area

New Delhi-110003

Reference:No.MMTC/CO/GT/NB/EOI/BIT/2011-12/3,

Date 25.04.2019

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

Dear Sir,

We, \_\_\_\_\_( Name & Address of the Organization), 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

(Letter Head of Applicant)

AUTHORISATION LETTER

(To be issued by applicants authorized signatory)

To  
MMTC Limited,  
Core I, SCOPE Complex,  
Lodi Road,  
New Delhi -110 003

We hereby authorize M/s .....to submit our offer/application for empanelment of supplier against EOI No. No.MMTC/CO/GT/NB/EOI/BIT/2011-12/3, date 25.04.2019.

The signature of M/s..... are attested below.

(Signature for and on behalf of the Company)

Signature of the Authorized person:

(Signature for and on behalf of the Company)

Place:

Date: