

Request for Proposal

Request for Proposal No. RFP/KGD6/2023/001

e-Bidding – Block KG-DWN-98/3 (the “KG D6”)

Dated: 28 April 2023

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1. Introduction and Context

The consortium of Reliance Industries Limited (“**RIL**”) and BP Exploration (Alpha) Limited (“**BPEAL**”) (RIL and BPEAL collectively, the “**Consortium**”) are parties to the Production Sharing Contract (the “**PSC**”) for offshore Block KG-DWN-98/3 (the “**KG D6**”) located off the East Coast of India. The KG D6 block was awarded by the Government of India (the “**GoI**”) under Round I of the New Exploration Licensing Policy. The gas produced from the Gas Fields has been granted marketing and pricing freedom according to Notification No. O-22013/27/2012-ONG-D-V (Vol. II) dated 21 March 2016 issued by the Ministry of Petroleum and Natural Gas, GoI.

RIL is the operator of the KG D6 block and has developed an onshore terminal at Gadimoga, Andhra Pradesh, which is connected to the Kakinada-Bharuch gas pipeline of Pipeline Infrastructure Limited (the “**PIL Pipeline**”) and which further connects to other nation-wide gas pipeline networks (including the Integrated HVJ network, the GSPL network, the DUPL–DPPL network and other regional pipelines).

The Consortium issued a Notice Inviting Offer (the “**NIO**”) dated 28 April 2023 and invited offers from interested companies (each, a “**Bidder**” and collectively, the “**Bidders**”) to offtake gas up to 6.0 MMSCMD (60,00,000 SCMD) from the Gas Fields on the price basis specified in Request for Proposal No. RFP/KGD6/2023/001 dated 28 April 2023 (“**RFP**”), commencing from 01 June 2023 at the Delivery Point located in Gadimoga, Andhra Pradesh subject to the terms and conditions stated in this RFP and the Gas Sale and Purchase Agreement (the “**GSPA**”).

Consortium has appointed mjunction services limited (“**mjunction**”), as an independent agency empaneled by Directorate General of Hydrocarbons (“**DGH**”), to conduct bidding process for sale of gas through the web based electronic bidding platform which are available at (i) <https://eps.buyjunction.in/gasbidding> for registration and Technical Evaluation (the “**e-Tendering Portal**”) and (ii) <https://auction.coaljunction.com> (the “**e-Bidding Portal**”) for bidding (collectively hereinafter referred as the “**e-Bidding Platform**”). This link for e-Bidding Platform has also been webhosted on the websites of DGH and members of the Consortium.

The bidding process is outlined below:

- **Stage I – Bidding information:** During this stage, the Bidders shall be apprised about the requisites for participating in the bidding process and they will also be provided with relevant information relating to the bidding process.
- **Stage II – Technical Evaluation:** At this stage, each Bidder shall be required to submit documents at the e-Tendering Portal in order to participate in the bidding process as provided in Section 7.2.2. These documents shall be evaluated in accordance with the criteria set forth in Section 7.2.3. The Bidders who are determined to be eligible shall be notified through email to participate in the electronic bidding on the e-Bidding Portal (the “**e-Bidding**”).
- **Stage III – e-Bidding:** Each eligible Bidder shall be able to familiarize itself with the e-Bidding Portal through various test runs. Subsequently, all eligible Bidders shall be able to participate in the e-Bidding.

At the end of the e-Bidding, each identified Bidder (each, a “**Buyer**”) shall be required to (i) execute a GSPA with the Consortium for the GSPA Quantity determined at the end of the e-Bidding, at the Gas Price determined based on its ‘Bid against price basis’ pursuant to Section 8.1.1 of this RFP and for the Tenure specified by it pursuant to Section 8.1.2 of this RFP subject to such Buyer having satisfactorily clearing the “**CDD**”; and (ii) make the necessary transportation arrangements by entering into a Gas Transportation Agreement (each, a “**GTA**”) with the respective natural gas transmission/transportation pipeline companies prior to the commencement of gas supplies under the GSPA in order to offtake gas from the Delivery Point.

2. Definitions and Abbreviations

Capitalised terms and abbreviations used in this RFP shall have the meanings set forth below. Any capitalized terms used and undefined herein shall have the same meanings as provided in the GSPA.

“Authorized Representative” means a representative in whose favor a POA or board resolution has been issued by its Bidder;

“Bidder” and **“Bidders”** shall have the meaning as specified in Section 1 of this RFP;

“Bid against price basis” shall have the meaning as specified in Section 8.1.1 of this RFP;

“Btu” means British Thermal Unit;

“Counterparty Due Diligence” or **“CDD”** shall include the process of carrying out due diligence of the Buyer in order to identify any issues pertaining to anti-bribery and corruption, money laundering and/or trade sanctions associated with their engagement as Buyer under this RFP;

“CJHPL” means the Chainsa Jhajjar Hissar Pipeline;

“DBPL” means the Dabhol Bengaluru Pipeline;

“DBNPL” means the Dadri Bawana Nangal Pipeline;

“DCQ” means the Daily Contract Quantity;

“DSC” means a legally valid Class-III Digital Signature Certificate issued by any of the licensed certifying authorities operating under the Root Certifying Authority of India and the Controller Certifying Authority of India in accordance with the Information Technology Act 2000;

“DUPL-DPPL” means the Dahej-Uran-Panvel-Dabhol Pipeline;

“e-Bidding Date” means the e-Bidding date as mentioned in Section 6 of this RFP;

“e-Bidding” shall have the meaning as specified in Section 1 of this RFP;

“e-Bidding Platform” shall have the meaning as specified in Section 1 of this RFP;

“FAQ” means Frequently Asked Questions;

“GSPA” means the Gas Sale and Purchase Agreement provided at Section 10 of this RFP;

“GSPA Quantity” means the GSPA Quantity as described in Section 8.3 of this RFP and as referred to in the illustration at Section 8.6 of this RFP;

“GSPL” means Gujarat State Petronet Limited;

“GTA” means Gas Transportation Agreement;

“Integrated HVJ” means the Integrated HVJ Pipeline;

“INR” means Indian Rupee;

“KG Basin Regional Network” means the Krishna Godavari Basin Regional Pipeline Network;

“JHBDPL” shall mean the Jagadishpur-Haldia-Bokaro-Dhamra Natural Gas Pipeline;

“Maximum Bid Volume” shall mean the volume in SCMD as confirmed by mjunction pursuant to provisions of Section 3 of this RFP;

“MoPNG” means Ministry of Petroleum and Natural Gas of GoI;

“mjunction” means mjunction services limited;

“MMBtu” means Million British Thermal Units;

“MMSCMD” means Million Metric Standard Cubic Meters per Day equals to 10,00,000 SCMD;

“NIO” means the Notice Inviting Offer;

“PAN” means the Permanent Account Number;

“PIL Pipeline” means the Kakinada to Bharuch natural gas pipeline owned and operated by Pipeline Infrastructure Limited;

“POA” means a Power of Attorney;

“Provisional GSPA Quantity” means the provisional GSPA Quantity as described in Section 8.3 of this RFP and as referred to in the illustration at Section 8.6 of this RFP;

“RFP” means this Request for Proposal No. RFP/KGD6/2023/001 dated 28 April 2023 along with all its Annexures

“SCMD” means Standard Cubic Meters per Day;

“Tenure” means the period specified pursuant to Section 8.1 (ii) of this RFP;

“Ticker” means the minimum increment or decrement of any bid parameter during the e-Bidding as specified in Section 8.0 of this RFP;

“Working Days” means working hours (**10:30 Hrs IST to 19:30 Hrs IST**) from Monday to Friday (of any given week) excluding all public holidays; and

“Volume” shall have the meaning as specified in Section 8.1.3 of this RFP.

3. Eligibility Criteria

Each Bidder shall be required to meet the following criteria in order to participate in the bidding process:

- (i) be an entity registered under the Companies Act 1956 / Companies Act 2013 / Multi State Cooperative Societies Act, 2002;
- (ii) be ready to consume or offtake natural gas on or before the Start Date through connectivity with the national gas grid or through any of the following natural gas pipelines, either directly or indirectly with PIL Pipeline:
 1. Integrated HVJ;
 2. GSPL network;
 3. DUPL-DPPL;
 4. DBPL;
 5. DBNPL;
 6. CJHPL;
 7. KG Basin Regional Network;
 8. any other pipeline providing connectivity (directly or indirectly) with PIL Pipeline; or
 9. any gas pipeline currently under construction which is expected to be commissioned by 01 June 2023;
- (iii) be engaged in the business that involves either the consumption or the sale and purchase of natural gas;
- (iv) shall meet the following eligibility criteria w.r.t (i) minimum net worth in FY 2021-22 and (ii) minimum gas procurement in either FY 2021-22 or FY 2022-23 (till 28 February 2023) and corresponding Maximum Bid Volume as provided in the table below::

| Slab | Maximum Bid Volume (In SCMD) | Minimum net worth (in INR crore) | | Minimum gas procurement (in MMSCM) | |
|--------|------------------------------------|-------------------------------------|------------|---------------------------------------|---------------------------------------|
| | | FY 2021-22 | FY 2021-22 | OR | FY 2022-23 (till 28 February 2023) |
| Slab 1 | Up to 10,00,000 | - | - | | OR |
| Slab 2 | Up to 20,00,000 | 1200 | 146 | 110 | |
| Slab 3 | Up to 35,00,000 | 2200 | 255 | 190 | |
| Slab 4 | Above 35,00,000 up to 60,00,000 | 3700 | 440 | 330 | |

For example, for a Bidder to bid 30,00,000 SCMD gas should have a minimum net worth of INR 2200 crore for FY 2021-22 and it should have a minimum gas procurement of 255 MMSCM in FY 2021-22 or 190 MMSCM in FY 2022-23 (till 28 February 2023). The "gas" in minimum gas procurement includes LNG or RLNG or any other form of natural gas.

- a) Any Bidder that intends to bid volume up to 10,00,000 SCMD is not required to provide documents pertaining to eligibility criteria as provided hereinafter. Any Bidder that intends to bid for volume more than 10,00,000 SCMD shall provide following document(s) for ascertaining the eligibility criteria as per this Section 3(iv):
 - I. The net worth certificate (in the format as provided at Annexure I (a) to this RFP) of the Bidder issued by statutory auditors or a Chartered Accountant ("CA");
 - II. Bidder's audited annual report / audited financial statement of FY 2021-22 duly signed by the company secretary or Authorized Representative;
 - III. Declaration of minimum gas procurement in FY 2021-22 or FY 2022-23 (till 28 February 2023) as provided at Annexure IX (a), duly certified by statutory auditors or a CA.
- b) In case, the Bidder that intends to bid for volume more than 10,00,000 SCMD, by itself does not meet the minimum net worth criteria or minimum gas procurement criteria as specified in Section 3(iv) in this RFP, then it can use net-worth or gas procurement of either one of its associate or subsidiary or holding company or promoter and submit following documents for ascertaining eligibility criteria, issued by such associate or subsidiary or holding company (*as the case may be*):
 - I. The net worth certificate (in the format as provided at Annexure I (b) to this RFP) issued by statutory auditors or a CA;
 - II. Audited annual report/ audited financial statement of FY 2021-22, duly signed by its company secretary (as an attachment to Annexure I (b) to this RFP);

- III. Audited annual report or CA certified document for establishing relationship between such Bidder and such associate or subsidiary or holding company or promoter (as an attachment to Annexure I (b) to this RFP);
- IV. In case such Bidder's associate/ subsidiary / holding company or promoter is a foreign entity, then it can submit audited annual report / audited financial statement of CY 2021 duly signed by the director of the company or an authorized representative along with relevant document demonstrating authority of such signatory;
- V. Declaration of minimum gas procurement in FY 2021-22 or FY 2022-23 (till 28 February 2023) as provided at Annexure IX (b), duly certified by statutory auditors or a CA;
- VI. Submission of relevant annexures as provided at Annexure I (b) and/ or Annexure IX (b) by the associate or subsidiary or holding company or promoter (*as the case may be*) shall be subject to following conditions:

- x. any associate or subsidiary or holding company or promoter shall not issue more than one (1) letter provided at Annexure I (b) and/or Annexure IX (b) for this bidding process;
- y. any company, who is issuing any annexures provided in Annexure I (b) and/or Annexure IX (b), shall not separately participate in this bidding process.

- c) For the purpose of this Section 3 of this RFP, "net worth", "associate company", "subsidiary company", "holding company and "promoter" shall have the same meaning as defined in section 2 of the Companies Act, 2013 (18 of 2013), as amended from time to time.
- d) All requisite documents specified under Section 3 (iv) including declaration provided with relevant Annexure IX (a); or Annexure IX (b) of this RFP are to be submitted by Bidder that intends to bid for volume more than 10,00,000 SCMD at the time of application for registration in the bidding process (refer Section 7.2.1 of this RFP).
- e) Post receiving all requisite documents and verification by mjunction, mjunction shall notify Bidder through email confirming its slab against the Maximum Bid Volume. This slab against the Maximum Bid Volume shall be the volume as determined pursuant to lower of (i) minimum net worth criteria and (ii) minimum gas procurement criteria, as indicated in Section 3(iv) above.

For example: for a Bidder with net worth of INR 2200 crore and gas procurement of 260 MMSCM in FY 2021-22 or 195 MMSCM in FY 2022-23 (till 28 February 2023), the slab against the Maximum Bid Volume for such Bidder shall be Slab 3 i.e. Maximum Bid Volume up to 35,00,000 SCMD.

For avoidance of doubt, any Bidder that does not provide a net worth document and minimum gas procurement certificate at the time of registration in accordance with Section 3(iv) above shall automatically be mapped under 'Slab 1' with Maximum Bid Volume as 10,00,000 SCMD.

- f) The profile of any Bidder not conforming to the eligibility criteria as set forth in this Section 3 of this RFP shall not be activated by mjunction.

- (v) In case a Bidder wishes to bid with multiple registrations (as specified in Section 5 (xiii) (a) of this RFP), then post receiving the confirmation email (as specified in Section 3 (iv)(e) above) from mjunction w.r.t Maximum Bid Volume;

- a) such Bidder shall be required to provide the bifurcation of its Maximum Bid Volume for each registration to mjunction (the sum of such bifurcated volumes should not exceed the Maximum Bid Volume identified by mjunction under Section 3(iv)(e) above).

For example, post receiving confirmation email (as specified in Section 3 (iv)(e) above) from mjunction, a Bidder is eligible for a Maximum Bid Volume of 35,00,000 SCMD and planning to bid for its two facilities. In this case, the Bidder shall intimate the bifurcation of its Maximum Bid Volume (35,00,000 SCMD) as for facility 1 (8,00,000 SCMD) and facility 2 (27,00,000 SCMD) to mjunction and accordingly make separate registrations as per Section 5 (xiii)(a).

- b) Such bifurcated volume shall then become the Maximum Bid Volume of the Bidder under its each registration and shall be notified to the Bidder by mjunction through email.

- (vi) In case a Bidder is nominated as an aggregator/reseller by Department of Fertiliser (DoF), Government of India (GoI) for procurement of HP-HT gas for Fertiliser sector, such Bidder can register separately under

Fertiliser sector category on e-Bidding Platform i.e. one for its own requirement and another as an aggregator/reseller for HP-HT gas for Fertiliser companies, subject to following conditions:

- a. Bidder is required to submit documentary evidence(s) in support of such nomination by DoF to act as aggregator/reseller of HP-HT gas for Fertiliser sector.
- b. Bidder is required to submit all requisite documents specified under Section 3 (iv) of this RFP at the time of application for registration in the bidding process (refer Section 7.2.1 of this RFP).
- c. Post receiving all requisite documents and verification by mjunction, the determination of Maximum Bid Volume for such separate registrations shall be as follows:
 - i. Mjunction shall determine Maximum Bid Volume for first registration using Net-worth and the gas procurement criteria by applying computation specified under Section 3(iv)(e) of the RFP.
 - ii. Any remaining values under each eligibility criteria shall be considered by mjunction for second registration of the Bidder, by again applying computation specified under Section 3(iv)(e) of the RFP and determine the Maximum Bid Volume for such second registration of the Bidder.
 - iii. Mjunction will notify the Bidder through email confirming its Maximum Bid Volume under such separate registrations after summation of 'Maximum Bid Volume' determined corresponding to each registration.
 - iv. Subsequently, the Bidder shall follow the procedure indicated in Section 3(v) of the RFP w.r.t providing bifurcation of its Maximum Bid Volume for such multiple registration against each registration of the Bidder to mjunction.

For example, if mjunction has notified Maximum Bid Volume of 55,00,000 SCMD (combined for two registrations) to the Bidder then the Bidder can intimate the bifurcation of its Maximum Bid Volume 55,00,000 SCMD as for one registration, say 25,00,000 SCMD mentioning in email to mjunction its use for Fertiliser sector and other registration 30,00,000 SCMD for its own requirement to mjunction or any such combination thereof.

Further, if such Bidder wishes to bifurcate its aforesaid 30,00,000 SCMD (e.g.) into multiple registrations, it can do separate registrations as per Section 3(v) and Section 5 (xiii)(a) of this RFP.

All such bifurcated volume shall then become the Maximum Bid Volume of the Bidder under its each registration and shall be notified to the Bidder by mjunction through email.

- d. Such Bidder shall ensure that it shall sell Gas which is purchased under its registration for Fertiliser sector only to the Fertiliser companies.
- (vii) be required to specify its sector in the e-Tendering Portal and provide required documentary support as specified in Section 5 (xii) along with relevant annexures, for participation and assessment of eligibility of the Bidders and its corresponding sector in the e-Bidding.
- (viii) be required to upload the self-attested scanned copies of the documents at the e-Tendering Portal (attested by the Bidder's Authorized Representative), for verification and validation by mjunction for participation and assessment of eligibility of the Bidders in the e-Bidding as provided in Section 7.2.2 of this RFP.

4. Information Technology Requirement

- A. In addition to the eligibility criteria specified in Section 3 of this RFP, each Bidder shall be required to have access to the requisite information technology infrastructure as specified in this Section 4 to participate in the bidding process.

The minimum information technology requirement for participating in the bidding process shall include:

- (i) Computer systems with Internet Connection of minimum 2 MBPS or higher speed;
- (ii) Operating System should be Windows 7 and above;
- (iii) Supported Web Browsers: Internet Explorer 9 and above (Microsoft); and Google Chrome 48 (other web browsers like Mozilla, Firefox, Safari, etc. are not supported).
- (iv) Active Content: JavaScript, cookies, ActiveX controls, pop-ups must be enabled on Internet Explorer (Microsoft) browser;
- (v) Recommended Screen Resolution: 1366 X 768 pixels;
- (vi) System Access with Administrator Rights;
- (vii) Memory: 2GB and above;
- (viii) Processor: Intel Pentium IV and above.

Interested parties who do not have access to the specified infrastructure requirements shall not be allowed to participate in the e-Bidding.

- B. Please refer to further details on the system settings required prior to registration as provided in Annexure IV to this RFP, "Bidder start up guide" and the responses to the FAQs as provided on the e-Tendering Portal.
- C. In addition to the minimum information technology requirement specified above, to access the e-Bidding Platform, the Authorized Representative nominated by each Bidder is also required to obtain a legally valid Class-III Digital Signature Certificate (each, a "DSC") issued by any of the licensed certifying authorities operating under the Root Certifying Authority of India and the Controller Certifying Authority of India in accordance with the Information Technology Act 2000.

5. General Guidelines

- (i) Each Bidder is required to submit its bid based on the terms and conditions of this RFP and the GSPA, without any deviations or conditionality.
- (ii) Each Bidder shall participate in the e-Bidding at its own expense and none of the expenses incurred in its participation can be claimed from Consortium or mjunction, regardless of the outcome of the e-Bidding.
- (iii) All queries pertaining to the bid process can be sent by email to rilkgd6bidding@mjunction.in on or before 18:00 hours (Indian Standard Time) on the date specified in Section 6 of this RFP regarding '**Submission of pre-bid queries/enquiries**' or such other date as may be notified under this RFP. Post registration, Bidders shall also be able to upload their queries on the e-Tendering Portal.
- (iv) Responses to the queries/enquiries will be published at e-Tendering Portal prior to the e-Bidding Date as specified in Section 6 of this RFP or such other date as may be notified under this RFP.
- (v) Each Bidder shall be required to upload the scanned documents that are specified in Section 7.2.2 at e-Tendering Portal and also submit the physical copy of the original Bank Guarantee as specified in Section 7.2.2 of this RFP as per the date specified in Section 6 of this RFP.
- (vi) A bid, once submitted, shall be binding on the Bidder who has submitted such bid. Each Bidder undertakes to offtake the GSPA Quantity as determined at the end of the e-Bidding, at the Gas Price determined based on its 'Bid against price basis' pursuant to Section 8.1.1 of this RFP and for the Tenure specified by it in Section 8.1.2 of this RFP.
- (vii) Bidders who are present in multiple sectors (viz CNG(T) / PNG(D), Fertilizer, Power Plants, End Consumers/Traders) and propose to bid for gas separately for each of its sector shall be required to make separate registration for each such sector. Bidders who make single registration for all of its sectors, will be mapped as "End Consumers/ Traders" as specified in Section 7.2.5 of this RFP.
- (viii) In addition to the Gas Price, each Bidder acknowledges and agrees that it shall be liable to pay: (a) all taxes, duties and levies on the sale of gas as per the terms of GSPA; and (b) all transportation tariffs and charges and any taxes, duties and levies thereon as applicable, to the relevant transporters.
- (ix) The Provisional GSPA Quantity determined during the e-Bidding shall be rounded off to zero (0) decimal places. Each Bidder acknowledges that due to rounding off, the sum total of Provisional GSPA Quantity determined during the e-Bidding may result in exceeding or sub-ceeding the total quantity of gas available for bidding.
- (x) Each Bidder acknowledges and agrees that the invitation by the Consortium for submission of bids does not constitute a commitment by Consortium to supply or sell gas. The Consortium's obligation to supply or sell gas to a Buyer shall become effective only upon the execution of the GSPA by the Consortium and the respective Buyer.
- (xi) Each Bidder shall provide declaration for use of Gas as per Annexure X of this RFP and specify its sector in the e-Tendering Portal.
- (xii) As a part of qualification process in the e-Bidding, each Bidder is required to provide below supporting documents in the e-Tendering Portal:

| Sector | Supporting documents |
|-------------------|---|
| CNG (T) / PNG (D) | Copy of letter of authorization issued from PNGRB for any one of GA |
| Fertiliser | Copy of letter of EPMC/FICC/DoF specifying use of gas by their plant for manufacturing of fertilizer |
| Power Plants | Any relevant document, supporting / indicating the use of gas for generation of power for sale to utilities / discoms |

Note: LPG Sector is not included in the table above as there is no extractable LPG in the Gas supplies from Gas Fields

- (xiii) Each Bidder is required to register on e-Tendering Portal in accordance with the instructions provided in Section 7.2.1 of this RFP.
- (xiv) A company which owns multiple gas consuming facilities can participate in the e-Bidding by adhering to any one of the following conditions:

- (a) **Separate registrations for each facility:** A Bidder can participate in the e-Bidding by separately registering for each of its facility. In such cases, the Bidder is required to provide bifurcation of Maximum Bid Volume as specified in Section 3 (v) of this RFP.

The Bidder shall be required to create separate user code (using unique e-mail IDs) for each facility. Such a Bidder shall also be required to make separate submissions of the requisite documents for technical evaluation as specified in Section 7.2.2 of this RFP for each facility as mentioned in Section 7.2.1 of this RFP. Such a Bidder shall also provide a separate Security Deposit (as specified in Section 7.2.2.1 (ii) of this RFP) for each facility. At the end of e-Bidding, a separate GSPA shall be executed by such a Bidder for the offtake of gas for each facility.

Illustration: A Bidder has two facilities (facility 1 and facility 2) and is planning to bid for 2,50,000 SCMD of gas for each of facility 1 and facility 2 during the e-Bidding. In this case, the Bidder shall be required to submit two separate Security Deposits for the required amount as set forth in Section 7.2.2.1 (ii) of this RFP. If, at the end of the e-Bidding, the GSPA Quantity for facility 1 is determined to be 2,00,000 SCMD and the GSPA Quantity for facility 2 is determined to be 1,00,000 SCMD, the Bidder shall be required to execute two separate GSPAs with the aforementioned DCQ(s).

- (b) **Single registration for all facilities:** A Bidder can also participate in the e-Bidding through a single registration. In such cases, the Bidder shall be required to create a single user code and submit the requisite documents as specified in Section 7.2.2 of this RFP for all the facilities. In this case, the Bidder shall be required to submit a single consolidated Security Deposit (as specified in Section 7.2.2.1 (ii) of this RFP) for all its facilities. At the end of the e-Bidding, the Bidder will be required to indicate the allocation of the GSPA Quantity for its various facilities and execute separate GSPAs for each facility.

Illustration: A Bidder has two facilities (facility 1 and facility 2) and is planning to bid for 5,00,000 SCMD of gas (2,50,000 SCMD each for facility 1 and facility 2) during the e-Bidding. In this case, the Bidder shall be required to provide a single consolidated Security Deposit for the specified amount determined based on the table as set forth in Section 7.2.2.1(ii) of this RFP. If, at the end of the e-Bidding, the GSPA Quantity for the Bidder is determined to be 3,00,000 SCMD, the Bidder will be required to allocate such gas quantity between its facility 1 and facility 2 (e.g. 2,00,000 SCMD for facility 1 and 1,00,000 SCMD for facility 2) and thereafter, execute a separate GSPA for each facility with the aforementioned DCQ(s).

- (c) **City Gas Distribution (“CGD”) entity for CNG (T)/ PNG(D) usage:** CGD entity with multiple gas consuming facilities (GAs) planning to participate for CNG (T)/ PNG(D) usage can register and participate as follows:

- i) Separate registration for each GA as per Section 5 (xiii)(a); or
- ii) Single registration for all GAs as per Section 5 (xiii)(b).

At the end of the e-Bidding, the Bidder will be required to indicate the allocation of the GSPA Quantity for its various GAs and execute separate GSPAs for each such GAs in which its Buyer's Facilities are located. If required by CGD entity, it can sign single GSPA for all GAs in a particular State.

- (d) **City Gas Distribution (“CGD”) entity for usage other than CNG (T)/ PNG(D):** CGD entity with multiple gas consuming facilities (GAs) for usage other than CNG (T)/ PNG(D) can register and participate as follows:

- i) Separate registration for each GA as per Section 5 (xiii)(a); or
- ii) Single registration for all GAs as per Section 5 (xiii)(b); or
- iii) Register at the company level as an aggregator/ reseller subject to fulfilling the conditions for aggregators/ resellers under this RFP.

At the end of the e-Bidding, the Bidder will be required to indicate the allocation of the GSPA Quantity for its various GAs and execute separate GSPAs for each such GAs in which its Buyer's Facilities are located. If required by CGD entity, it can sign single GSPA for all GAs in a particular State.

Note: If a Bidder is a CGD entity, it has to register in the bidding process separately for use of gas in “CNG (T)/PNG(D)” purpose and for use of gas other than CNG (T)/PNG(D) purpose and will have to follow all instructions set out in this RFP independently for each such registration.

- (e) **Traders of gas also owning multiple consumption facilities:** Traders which also owns multiple consumption facilities can register and participate as follows:
- i) Separate registration for each Buyer's Facilities as per Section 5 (xiii)(a); or
 - ii) Single registration for all Buyer's Facilities as per Section 5 (xiii)(b); or
 - iii) Register at the company level as an trader.

At the end of the e-Bidding, the Bidder will be required to indicate the allocation of the GSPA Quantity determined among its consumption facilities and for resale of gas and execute separate GSPA for each such Buyer's Facilities in a particular State.

- (xv) If a Buyer has entered into multiple GSPAs with Consortium for more than one facility, such Buyer shall be allowed to interchange a portion or all of its DCQ amongst its different facilities. Such interchange shall, at all times, be subject to the following conditions:
- (a) the Buyer has made a written request for interchange in DCQ from one facility to another facility; and
 - (b) such request is made a maximum of once in each fortnight;
 - (c) the Gas Price as determined pursuant to the e-Bidding is same for all of the Buyer's facilities;
 - (d) relevant amendments to the GSPAs;
 - (e) at the time of submitting its request to the Consortium, the Buyer shall specify the reason(s) for such interchange in volume offtake; and
 - (f) the allocation of the revised DCQ(s) for all of the Buyer's facilities (the sum of which shall be equal to the aggregate DCQ for the Buyer) shall be notified to the Consortium by no later than four (4) Business Days prior to the beginning of the fortnight on which such request for interchange in DCQ is made effective.
 - (g) if a Bidder is a CGD entity and has entered into multiple GSPAs with Consortium for use of gas in CNG (D)/ PNG (T) sector, such Bidder shall be allowed to interchange a portion or all of its DCQ amongst its different GAs for use of gas in CNG (D)/ PNG (T).
- (xvi) Any erroneous or incomplete bids entered by any Bidder during the e-Bidding shall be rejected by the e-Bidding Platform.
- (xvii) Any attempt by a Bidder to influence the bidding process or the evaluation and determination of bids shall immediately result in a disqualification of its bid.
- (xviii) The outcome of the bidding process and the results determined pursuant to the e-Bidding shall be final and binding on all Bidders and shall not be a subject of dispute under any circumstances.
- (xix) Each Bidder represents and acknowledges to the Consortium and mjunction that it possesses the necessary experience, expertise and ability to undertake and fulfill its obligations, under all phases involved, in the performance of the provisions of this RFP and the GSPA.
- (xx) The Consortium reserves the right to withhold or withdraw the bidding process at any stage or cancel or modify the process or change / modify / amend any or all provisions of this RFP, at any time, without assigning any reason whatsoever by notice to all Bidders. mjunction, at its sole discretion, reserves the right, without any obligation or liability, to accept or reject any or all of the bids at any stage of the bidding process.
- (xxi) All future amendments, if any, to this RFP and the GSPA during the bidding process shall be published at e-Tendering Portal for notification to all Bidders.
- (xxii) Each Bidder shall electronically submit and upload its completed and signed RFP (including any addendum or corrigendum if issued till e-Bidding Date) and the GSPA as duly signed by its Authorized Representative on all pages, along with all other relevant details provided in this RFP on the e-Tendering Portal.
- (xxiii) Each Bidder shall be required to map its DSC with its user code prior to the submission of the documents required during Stage II of the bidding process.
- (xxiv) By submitting a bid, each Bidder certifies that:
- (a) it has arrived at its bid without agreement with any other Bidder of this RFP for the purposes of restricting competition or otherwise;
 - (b) the bid parameters submitted have not been disclosed and shall not be disclosed to any other Bidder;
 - (c) no attempt has been made by it to induce any other Bidder to submit or not to submit a bid for the purposes of restricting competition; and
 - (d) no attempt has been made by it to collude with another Bidder in determining its bids or influencing the decisions of other Bidders.

- (xxv) Each Bidder must ensure that its bid is complete in all respects and conforms to all the terms and conditions specified in this RFP, failing which its bid may be rejected without mjunction seeking any clarifications on any exception/deviation taken by it in its bid.
- (xxvi) Responses to Frequently Asked Questions (FAQs) have been provided for each Bidder's reference on the e-Tendering Portal.
- (xxvii) In the unlikely event of data loss or corruption, and if the back-up facility is also affected, mjunction shall decide whether the e-Bidding shall be continued or suspended until further notice. In this case, the decision of mjunction shall be final and binding upon all Bidders.
- (xxviii) Bidders are advised to ensure that the computer system (configured with minimum information technology requirements as per Section 4 of this RFP), internet availability and connectivity, power source, DSC, internal support personnel, etc. are available at their end along with necessary back-up options to deal with any contingencies which may arise during the e-Bidding. Any disruptions at Bidder's end shall be the sole responsibility of the Bidder. Consortium or mjunction shall not be responsible, in any manner whatsoever, for the same.
- (xxix) In case of any conflict between the provisions of this RFP and the GSPA, the provisions of the GSPA shall prevail.
- (xxx) While sending any queries/enquires/correspondences with respect to this RFP, Bidder shall mention the reference number of this Request for Proposal No. RFP/KGD6/2023/001.

6. Bidding Schedule

The schedule for the bidding process shall be as follows:

| Event | Timeline |
|--|---|
| Publication of Notice Inviting Offer | 28-April-23 |
| Release of this RFP and the GSPA | 28-April-23 |
| Start of registration by Bidders on the e-Tendering Portal [see note] | 29-April-23 |
| Submission of pre-bid queries/enquiries | 05-May-23 |
| Pre-bid conference | 09-May-23 |
| Online Training Programme on the e-Tendering Portal (after the Pre-bid conference) | 09-May-23 |
| End Date for submission of documents pursuant to Section 7.2.1 (iii) of this RFP via email | 11-May-23 |
| End date for uploading of soft copies of technical documents pursuant to Section 7.2.2 of this RFP on e-Tendering Portal | 13-May-23 |
| End date for submitting physical copy of the Security Deposit | 13-May-23 |
| Determination of Bidders who are eligible to participate in the e-Bidding | 16-May-23 |
| End date of mapping of DSC by the Bidder in e-Bidding Portal | 18-May-23 |
| Test run for eligible Bidders on the e-Bidding Portal | 18-May-23 |
| e-Bidding Date and time | 19-May-23 (10:30 hours (Indian Standard Time)) |
| Execution of the GSPA | Within 7 days from the date of closure of the e-Bidding |

Note: Each interested Bidder (including entities, which have earlier registered on mjunction's portal) is required to do fresh registration on the e-Tendering Portal as specified in Section 7.2.1 of this RFP.

7. Description of the Bidding Process

7.1 Stage I: Bidding Information

7.1.1 Step 1: Notice Inviting Offer

Consortium has published a Notice Inviting Offer in the following leading Indian newspapers:

| Newspaper Name | Edition and Language | Date of Publication |
|-----------------------|-----------------------------|----------------------------|
| Eenadu | Andhra Pradesh / Telugu | 28-April-23 |
| Times of India | National / English | 28-April-23 |

The Notice Inviting Offer is also being hosted on the (i) RIL's website at <https://www.ril.com/eB2B/Bidder-KGD6.aspx>, (ii) BPEAL's website at https://www.bp.com/en_in/india/home.html and (iii) social media platforms at <https://www.facebook.com/RelianceIndustriesLimited> and at <https://www.linkedin.com/company/reliance>.

7.1.2 Step 2: Download RFP and GSPA

Interested Bidders are requested to download the RFP and the GSPA from e-Tendering Portal.

7.1.3 Step 3: Submission of Pre-bid queries

All the queries pertaining to the bid process can be sent to mjunction by email at rilkgd6bidding@mjunction.in on or before (18:00 hours (Indian Standard Time)) as per the date specified in Section 6 of this RFP or such other date as may be notified by mjunction. Responses to the queries/enquiries will be published at e-Tendering Portal prior to the e-Bidding Date as specified at Section 6 of this RFP or such other date as may be notified by mjunction. While sending the pre-bid queries, Bidder shall be required to mention the reference number of this Request for Proposal No. RFP/KGD6/2023/001 in the email.

7.1.4 Step 4: Pre-bid conference

A virtual pre-bid conference shall be held to provide an opportunity to all Bidders for interaction with regards to the various provisions relating to the e-Bidding and the terms and conditions of this RFP and the GSPA. mjunction and the Consortium shall endeavor to respond to the queries received during or before the pre-bid conference. Bidders who wish to attend the pre-bid conference are requested to notify mjunction, in advance, on rilkgd6bidding@mjunction.in with the name, contact details and email ID of the personnel who shall be attending the pre-bid conference. The date for the pre-bid conference shall be as per date specified in Section 6 or as notified to all Bidders who have indicated their interest to attend the pre-bid conference through e-mail. The conference web link for attending the pre-bid conference shall be communicated by mjunction through e-mail.

7.1.5 Step 5: Bidder Training on bidding process

Following the pre-bid conference, a training programme will be held so as to enable the personnel of the Bidders to familiarize themselves with the e-Bidding. mjunction shall communicate the conference web link for attending such training programme by email and this will also be uploaded at e-Tendering Portal.

7.2 Stage II: Technical Evaluation

7.2.1 Step 1: Creation of user code and Password

- i. Each interested Bidder (including entities, which have earlier registered on mjunction's portal) is required to register itself on the e-Tendering Portal.
- ii. At the time of registration, Bidder is required to submit its company's PAN number and express its interest by clicking on "INTERESTED" button against entry created for Reliance Industries Limited [KG D6]. Each Bidder shall be required to provide the following details:
 - a. user code;
 - b. name & details of the Authorized Representative.
 - c. name of the company and its registered office address;
 - d. additional contact details of the Bidder's gas consuming facility;
 - e. bank details;
 - f. GSTIN number;
 - g. the sector category of the Bidder (CNG(T)/PNG(D), Fertilizer, Power Plants, End consumers / Traders).
- iii. Once the Bidder has successfully filled and submitted the registration form, an application number will be generated. The Bidder is then required to submit its preferred user code (as submitted at the time of filling the registration form) along with company's PAN card , GST certificate and all requisite documents for ascertaining eligibility criteria as specified in Section 3 of this RFP including declaration as specified at Section 9.1 and Section 9.9 of this RFP via email to rilkgd6bidding@mjunction.in. Post receiving these details, mjunction shall verify, approve and activate the Bidder's profile. The profile of any Bidder not confirming to the eligibility criteria indicated in the Section 3 of this RFP, shall not be activated by mjunction. Post activation of the verified and approved Bidder, Bidder shall receive details of its user code and password on its registered e-mail address through the system generated auto email.
- iv. Each Bidder shall then be required to map the DSC against its user code, which shall be used by the Bidder to access the e-Tendering Portal. Bidders are required to ensure that the DSC is in the name of Authorized Representative of the company for whom the POA or board resolution has been submitted as per Section 7.2.2 and registration of the Bidder in e-Tendering Portal must be done with the same email ID for which the DSC has been issued. The email ID, DSC and POA are linked in a unique combination and cannot be used for more than one registration on the e-Tendering Portal. mjunction shall approve the DSC mapped with the user code on the e-Tendering Portal after verification of the details of DSC and details submitted by Bidder at time of registration.
- v. Post Bidder's training on bidding process, mjunction shall configure system event for technical evaluation and notify Bidders to upload and submit requisite documents on e-Tendering Portal as per the documents listed in Section 7.2.2 of this RFP.
- vi. Pursuant to mjunction notification as per subsection 7.2.1 v. above, Bidder shall login and access the e-Tendering Portal to upload the requisite documents which are listed in Section 7.2.2 of this RFP.
- vii. The user code provided at the time of registration shall be used to log in to the e-Tendering Portal and for all future communications/notifications from mjunction. Each Bidder shall be required to use the same email ID as used during the registration for the entire e-Bidding.

7.2.2 Step 2: Documents for Technical Evaluation

- A. Each Bidder shall be required to upload duly signed/attested scanned copies of the following documents on the e-Tendering Portal:
 - i. Security Deposit, in the format specified in Annexure II to this RFP;
 - ii. duly signed GSPA;
 - iii. duly signed RFP and amendments (if any);
 - iv. valid and notarized POA or board resolution delegating required authority to the Authorized Representative. The board resolution should be signed by the company secretary certifying its

validity till the execution of the GSPA. POA on company letterhead issued by company secretary along with copy of delegation of authority / delegation of power approved by company's Board is acceptable. In case of public sector undertakings (PSU) where the declaration of authority of the relevant PSU permits certain office bearers to execute contracts, POA on company letter head issued by company secretary along with copy of delegation of authority / delegation of power approved by company's Board is acceptable. Bidder shall ensure that POA is valid till the execution of the GSPA;

- v. all requisite documents for ascertaining eligibility criteria as specified in Section 3 of this RFP;
 - vi. duly signed Annexure X of this RFP along with all requisite supporting documents in respect of declaration for use of gas by the Bidder;
 - vii. duly signed Annexure XI of this RFP providing declaration to submit transaction details (only for Bidders who are Traders); and
 - viii. undertaking for declaration of aggregate gas requirement greater than 50,000 SCMD in each facility in the form of Annexure VI to this RFP (only for Bidders who are end consumers and bidding for less than 50,000 SCMD). Bidders participating in the e-Bidding as per Section 5(xiii)(b) and bidding for aggregate volume of more than 50,000 SCMD but intending to allocate less than 50,000 SCMD from the GSPA Quantity at a single facility, shall also be required to provide the said declaration as provided in Annexure VI to this RFP);
- B. Bidders can upload multiple documents on the e-Tendering Portal with individual file size limit of 10 MB. The acceptable file formats for uploading documents are zip, pdf, jpeg, jpg, tif, doc, xls, rtf, dwg, xps, cdr, docx, xlsx, and xlsx.
- C. Each of the GSPA, RFP and the undertakings must be duly signed by the Bidder's Authorized Representative. Bidder's Authorized Representative are required to sign each page of RFP & GSPA towards acceptance of the terms and conditions of RFP & GSPA.
- D. Please refer to "Bidder start up guide" for further details on uploading the requisite documents on the e-Tendering Portal. In case there is any inconsistency between the terms mentioned in the "Bidder start up guide" and this RFP, the terms provided herein this RFP shall prevail.
- E. For any support or issue in registration, setting up DSC or otherwise pursuant to this RFP, Bidder can send an email to rilkgd6bidding@mjunction.in or call helpdesk (details as mentioned in Section 8.7 of this RFP).
- F. The original copy of Security Deposit, given in Annexure II to this RFP should be submitted to the below mentioned address within the timelines as specified in Section 6 of this RFP:

| Kolkata Address | Delhi Address | Mumbai Address |
|--|---|--|
| Kind Attn : Ankit Kumar mjunction services limited, Godrej Waterside, 3rd Floor, Tower 1, Plot V, Block DP, Sector V, Salt Lake, Kolkata – 700091. Ph. 033-66106444 | Kind Attn: Rimi Ghosh mjunction services limited Office No. B-92 9 th Floor Himalaya House, 23 K.G.Marg, Connaught Place, New Delhi-110001. Ph. 011-65661774 | Kind Attn: Ravi Simon mjunction services limited 805, 8 th Floor, Damji Shamji, Business Galleira, Off LBS Marg, Next to Huma Mall, Kanjur Marg, (West) Mumbai-400078. Ph. 8291830882 |

7.2.2.1 Security Deposit

- (i) Each Bidder who is interested in participating in the e-Bidding is required to provide a security deposit in the form of a Bank Guarantee ("BG") as specified in Annexure II to this RFP. The BG provided prior to the bidding (the "Security Deposit") shall be valid up to 31 July 2023 (plus a claim period of 30 days) and to be provided

in favor of either of the Consortium members. Bidders are required to submit separate Security Deposit for each registration.

- (ii) The Security Deposit shall be for an amount equivalent to the value as provided in the table below-

| Sr. No. | Bid Volume (in SCMD) | Security Deposit (INR Crore) |
|---------|--------------------------|------------------------------|
| 1 | Up to 5,00,000 | 2.0 |
| 2 | > 5,00,000 to 10,00,000 | 10.0 |
| 3 | > 10,00,000 to 20,00,000 | 20.0 |
| 4 | > 20,00,000 to 35,00,000 | 35.0 |
| 5 | > 35,00,000 to 60,00,000 | 55.0 |

- (iii) The BG towards the above Security Deposit shall be provided by the Bidders from a bank included in the list provided at Annexure V of RFP. The Bidders are required to submit the Security Deposit in the form of BG only and as per the format provided in Annexure II of this RFP.
- (iv) The Security Deposit for the Bidders with unsuccessful bids or Bidders who did not participate in the e-Bidding shall be returned within fifteen (15) Working Days after the e-Bidding is over.
- (v) Each Buyer shall be required to submit the payment security, in accordance with the terms of the GSPA. Upon receipt of such payment security, the Security Deposit shall be returned to the relevant Buyers.
- (vi) The Security Deposit submitted by the Buyer will be liable for forfeiture in case such Buyer fails to execute the GSPA in accordance with the terms of this RFP and/or fails to issue the payment security as required under the terms of the GSPA.

7.2.3 Step 3: Evaluation of documents by mjunction

- i. mjunction shall electronically access the documents specified in Section 7.2.2 of this RFP.
- ii. Prior to the evaluation of the documents provided by each Bidder, mjunction shall assess whether each Bidder has submitted the documents as specified in Section 7.2.2 of this RFP. A bid shall be considered as technically valid if all of the documents specified in Section 7.2.2 of this RFP have been submitted to the satisfaction of mjunction.
- iii. mjunction reserves the right to reject any bid based on the evaluation of the documents specified in Section 7.2.2 of this RFP. Subsequently, mjunction shall have the right not to entertain any request for alteration, modification or substitution of any one or all of the documents specified in Section 7.2.2 of this RFP with respect to the technical evaluation, provided that mjunction may, at its sole discretion, allow a Bidder to rectify any infirmities or omissions if doing so does not constitute a material modification of the documents provided initially.
- iv. mjunction reserves the right not to proceed with the technical evaluation at any time without notice or liability to any Bidder and to reject any or all technical bids received without assigning any reasons. In such an event, the Security Deposit shall be returned within fifteen (15) Working Days after mjunction's decision of not to proceed with such technical evaluation.
- v. To facilitate its evaluation, mjunction may, at its sole discretion, seek clarifications/additional documents from any Bidder regarding the documents provided by the Bidder including the documents provided by the Bidder at Annexure I of this RFP. Such clarification(s) shall be provided within the reasonable timeline specified by mjunction as permitted within the bidding schedule. Any request for clarification(s) and all clarification(s) in response thereto shall be in writing.
- vi. In case a Bidder does not provide the clarifications sought by mjunction within the timeframes specified by mjunction, its bid shall be deemed invalid and shall not be evaluated.

7.2.4 Step 4: Notification to eligible Bidders by mjunction

After the evaluation of the documents specified in Section 7.2.2 of this RFP, mjunction shall, by email, inform all eligible Bidders of their advancement to Stage III of the bidding process on the date specified in Section 6 of this RFP.

7.2.5 Step 5: Mapping of Bidders to bidding process by mjunction

All eligible Bidders along with its respective sector (post validation and verification) shall be mapped to the e-Bidding Portal by mjunction. All eligible bidders shall be provided with new user code and password on their registered e-mail address through system generated auto email, to access the e-Bidding Portal. To participate in the e-Bidding, Bidder shall be required to map its DSC on the e-Bidding Portal latest by the date specified in Section 6 of this RFP. Bidders shall be able to access the e-Bidding Portal on or after 10:30 hours (Indian Standard Time) on the e-Bidding Date specified in Section 6 of this RFP. Please refer to “Bidder start up guide” available at e-Tendering Portal for further details on accessing the e-Bidding Portal.

7.3 Stage III: Bidding

7.3.1 Step 1: Accessing e-Bidding Portal

mjunction shall notify Bidders by email that the e-Bidding Portal is ready following the mapping of all eligible Bidders to the e-Bidding Portal. Bidders can login to e-Bidding Portal using its new user code, password and the registered DSC.

7.3.2 Step 2: Test run on e-Bidding

Prior to the e-Bidding Date, mjunction shall organize a programme for test run of e-Bidding to help Bidders familiarize themselves with the requisite features of the e-Bidding Portal. Such programme shall be held on such date as specified in Section 6 of this RFP.

mjunction shall notify the requisite details for the programme to relevant Bidders via email.

7.3.3 Step 3: Participating in e-Bidding

Each eligible Bidder shall be able to participate in the e-Bidding on e-Bidding Portal on the e-Bidding Date and time specified in Section 6 of this RFP. The e-Bidding shall be carried out according to the e-Bidding mechanism as specified in Section 8 of this RFP.

8. e-Bidding Mechanism:

8.1 Bid parameters

To participate in the e-Bidding, each Bidder shall be required to quote valid bids against the three parameters specified below. At all times during the e-Bidding, such bid quoted must be in compliance with the criteria set forth in Sections 8.1.1, 8.1.2 and 8.1.3 of this RFP.

- (i) **'Bid against price basis'**: Denoted as a variable '**V**' as specified in Section 8.1.1 of this RFP, that a Bidder would be required to quote in **US\$/MMBtu** terms."
- (ii) **Tenure**: Duration for which a Bidder desires to purchase gas as described in Section 8.1.2 of this RFP.
- (iii) **Volume**: Quantum of gas volume as described in Section 8.1.3 of this RFP.

8.1.1 'Bid against price basis'

A Bidder shall be required to quote the variable denoted as '**V**' in **US\$/MMBtu** terms ('**Bid against price basis**') pursuant to the Gas Price formula specified below

| |
|--|
| Gas Price (in US\$/MMBtu (GCV)) = JKM + V |
|--|

Where,

- (i) **Gas Price** would be computed up to **three decimal places**.
 - (ii) "**JKM**" is the arithmetic average of all the **JKM (M)** frontline quotations published in the **JKM Market Price Table** for each Commodity Business Day, as published in **Platts LNG Daily** in the **JKM Marker Price Table** entitled **AAOVQ00**, during the Assessment Period;
"Assessment Period" means the period covering the second half (16th – month end (unless the 16th is not a Platts Business Day, in which case the next Platts Business Day until month end)) of M-2 month and the first half (1st – 15th, unless the 15th of that month is not a Platts Business Day, in which case the first half will end of the day immediately before the next Platts Business Day) of M-1 month;
"M" is the calendar month in which the Gas is to be supplied;
"Commodity Business Day" shall mean a day in respect of which Platts LNG Daily published prices for "DES Japan/Korea Marker (JKM)";
"JKM Marker Price Table" means the section headed "DES Japan/Korea Marker (JKM)" of the table "Platts daily LNG markers (US\$/MMBtu)" published in Platts LNG Daily;
"Platts Business Day" means a business day for the purposes of the Platts Methodology and Specifications Guide; and "Platts LNG Daily" means the publication of that same name published by McGraw Hill Financial.
 - (iii) **V** in **US\$/MMBtu** shall be quoted by a Bidder which should be a positive, zero or negative number and up to two decimal places.
- (i) **Starting 'Bid against price basis'**: The starting 'Bid against price basis' for the e-Bidding is **V = US\$ -0.06/MMBtu**. Each Bidder is required to enter bids that are higher than or equal to the starting 'Bid against price basis'. Any bid lower than such starting 'Bid against price basis' shall not be accepted by the system.
 - (ii) **Ticker size for 'Bid against price basis'**: During the e-Bidding, for 'Bid against price basis' only upward increments shall be allowed and it cannot be decreased. The minimum increment Ticker size for the 'Bid against price basis' shall be **US\$ 0.09 /MMBtu**, and a Bidder is only able to increase its previous 'Bid against price basis' in multiples of the Ticker size defined.
 - (iii) The maximum valid 'Bid against price basis' shall be **V = US\$ 0.75/MMBtu** beyond which bid shall not be accepted by the e-Bidding Portal.

8.1.2 Tenure

Each Bidder is required to submit its Tenure bids in years, which should be within the Tenure range specified below:

- (i) **Tenure range:** The Tenure quoted by a Bidder must be a positive whole number within the Tenure range of 3 years to 5 years (i.e. 3 years, 4 years or 5 years). During the e-Bidding, if a Bidder quotes any Tenure bid that falls outside the specified range, its bid shall be rendered invalid.
- (ii) **Ticker for Tenure increment or decrement:** During the e-Bidding, the Tenure bid can be increased or decreased, provided that the 'Bid against price basis' is simultaneously increased. As Tenure is a competitive bid parameter and therefore, any change in this parameter after allocation of Provisional GSPA Quantity, has to be accompanied with increase in "Bid against price basis. The minimum Ticker size for any increment or decrement for Tenure bids shall be 1 year.

8.1.3 Volume

A Bidder shall be required to quote Volume bids that it would be ready to offtake from the Start Date. Such bids should be quoted in standard cubic meters per day (SCMD). All bids quoted against Volume shall be in whole number. At all times, a Volume bid must comply with the following requirements:

- (i) **Total Available Volume:** The total volume available for bidding shall be notified by Sellers by the date of Pre-bid conference as specified in Section 6 of this RFP which shall be in the range of **40,00,000 SCMD to 60,00,000 SCMD**;
- (ii) **Minimum Volume bid:** The minimum volume for the bidding process shall be **10,000 SCMD**;
- (iii) **Maximum Volume bid:** The maximum volume that a Bidder can bid for during the bidding process shall be as per the volume mapped to such Bidder which shall be lower of (x) Maximum Bid Volume corresponding to the value of minimum net worth & minimum gas procurement of the Bidder (in accordance with Section 3 and Section 7.2.1 of this RFP) and (y) Bid Volume for which Security Deposit (refer to Section 7.2.2.1 of this RFP) has been submitted;
For example: If the Maximum Bid Volume for a bidder determined by mjunction pursuant to section 7.2.1 (iii) is 35,00,000 SCMD and the Security Deposit (refer to Section 7.2.2.1 of this RFP) submitted by such bidder is INR 55 Crore, then the Maximum Volume bid for such bidder shall be 35,00,000 SCMD.
For avoidance of doubt, a Bidder participating in the e-Bidding either through a single registration or collectively through separate registrations, it can bid only up to the mapped volume as determined pursuant to lower of (x) and (y) above, by mjunction;
- (iv) The Bidder shall be able to bid any volume between the Minimum Volume bid and the Maximum Volume bid subject to provisions of this Section 8.1.3;
- (v) **Ticker size for volume bid increment/decrement:** The Ticker size for volume bid increment/decrement for the bidding process shall be **10,000 SCMD**;
- (vi) **Increment/Decrement:** The Volume bid can be increased or decreased any time during the e-bidding provided the 'Bid against price basis' is increased. As Volume is a competitive bid parameter and therefore, any change in this parameter after allocation of Provisional GSPA Quantity, has to be accompanied with increase in "Bid against price basis";
- (vii) **Provisional GSPA Quantity:** The Volume bid can never be less than the Provisional GSPA Quantity determined by the e-Bidding Portal. Further, if the Provisional GSPA Quantity is less than the Minimum Volume bid specified at Section 8.1.3(ii) above, the next Volume bid must be equal to or higher than the Minimum Volume bid specified at Section 8.1.3(ii).

8.2 e-Bidding Time and Closure

The key features associated with the e-Bidding are as follows:

- (i) **e-Bidding Duration:** The e-Bidding shall be conducted for a period of ninety (90) minutes on the e-Bidding Date specified in Section 6 of this RFP. This e-Bidding Duration can be extended subject to provision of Section 8.2 (iv) below.
- (ii) **First Bid Period:** Once the e-Bidding starts, a pre-defined period of the first sixty (60) minutes shall be considered as the “**First Bid Period**”. Each Bidder is required to submit quotes for ‘Bid against price basis’, and Volume during the First Bid Period. Only Bidders who have submitted valid bid(s) during this First Bid Period shall continue to participate in the remaining period of the e-Bidding. A Bidder who fails to submit a valid bid during the First Bid Period will not be able to participate further in the e-Bidding.
- (iii) **Subsequent Bids:** Upon the submission of a valid first bid within the First Bid Period, a Bidder can revise its bid any number of times during the e-Bidding Duration specified in Section 8.2(i) of this RFP.
- (iv) **Extension of e-Bidding Duration:**
 - (a) If a valid bid is received within the last ten (10) minutes before the close of the bidding period and such bid alters the Provisional GSPA Quantity determined by the e-Bidding Portal for any of the Bidder, there would be an automatic fifteen (15) minutes extension of the e-Bidding Duration.
 - (b) After the first extension of the e-Bidding Duration, if a valid bid is received during the last ten (10) minutes before the close of the extended bidding period, and such bid alters the Provisional GSPA Quantity determined by the e-Bidding Portal for any of the Bidder, the e-Bidding Duration shall be further extended for another period of fifteen (15) minutes.
 - (c) The auto-extension process described in this Section 8.2(iv) of this RFP will continue to apply until the conditions for closing the bid as specified in Section 8.2(v) of this RFP are met, and such auto-extensions may result in the e-Bidding extending beyond the e-Bidding Date.
- (v) **Bidding Closure:** The e-Bidding ends:
 - (a) If no valid bids are received within the First Bid Period; or
 - (b) if the e-Bidding Duration expires with no bid revision in the period specified in Section 8.2(iv) of this RFP which alters the Provisional GSPA Quantity;
- (vi) **Working Days:** The e-Bidding shall be conducted on Working Days only. If any extension in the e-Bidding Duration is triggered within the last ten (10) minutes immediately preceding 19:15 hours (Indian Standard Time) of any Working Day, such an extension shall be the last extension for that Working Day and the e-Bidding shall be paused at 19:30 hours (Indian Standard Time). If there is any further extension triggered within the last ten (10) minutes immediately preceding 19:30 hours, the e-Bidding shall resume at 10:30 hours (Indian Standard Time) on the next Working Day.
- (vii) The e-Bidding Portal webpage will be refreshed automatically at every fifteen (15) seconds interval. However, Bidder can also refresh the webpage by clicking on the “Refresh” button on Bidders screen.

8.3 Determination of Provisional GSPA Quantity and GSPA Quantity

- (i) Upon the submission of the valid bids, the e-Bidding Portal shall assess the parameters against the rules specified in Section 8.1 of this RFP.
- (ii) If a bid does not conform to the bidding rules specified in Section 8.1 of this RFP, the e-Bidding Portal shall display the relevant message stating that the bid entered was invalid and its Bidder shall be required to submit new bids to continue in the e-Bidding.
- (iii) During the e-Bidding, as and when any new valid bid is received, the e-Bidding Portal shall follow the below mentioned steps:
 - a. **Step 1:** The ‘Bid against price basis’ shall be arranged in descending order.
 - b. **Step 2:** The Provisional GSPA Quantity shall be determined in as follows:
 - (i) The Provisional GSPA Quantity shall be determined for the highest Bidder (for ‘Bid against price basis’) for the full volume which it has quoted (subject to the Maximum Volume bid), followed by the next highest Bidder (for ‘Bid against price basis’) for its quoted volume or remaining available volume, whichever is lower, and so on until the Total Available Volume is fully allocated.

- (ii) If there is a tie for any valid bids for 'Bid against price basis', the e-Bidding Platform shall arrange such tied bids in descending order based on the Tenure quoted. In such case, the Provisional GSPA Quantity shall be determined for the highest bid (for Tenure) amongst the tied bids, for the full volume which it has quoted (subject to the Maximum Volume bid), followed by the next highest bid (for Tenure) for its quoted volume or remaining available volume, whichever is lower, and so on until the Total Available Volume is fully allocated.
- (iii) In case of a tie in both the 'Bid against price basis' and Tenure, and if the aggregate volume of gas quoted by these Bidders is more than the available gas volume, then the available gas volume shall be distributed among these Bidders as per the below order:
 1. CNG (T)/ PNG(D)
 2. Fertiliser
 3. Power Plants
 4. End Consumers/Traders

In such case, amongst the tied bids, the Provisional GSPA Quantity shall first be determined for Bidders in CNG (T)/PNG(D) sector, for the full volume which it has quoted (subject to the Maximum Volume bid), followed by Bidders in Fertiliser sector for its quoted volume or remaining available volume, whichever is lower, and so on in the order mentioned above, until the Total Available Volume is fully allocated. If there is a tie among the Bidders of a particular sector and the aggregate volume of gas quoted by the Bidders of such sector (for such tied bids) is more than the available gas volume, then remaining gas volume would be pro-rated among the Bidders of that sector.

- c. **Step 3:** Steps 1 and 2 shall continue throughout the e-Bidding and the Provisional GSPA Quantity shall continue to be determined by the e-Bidding Portal dynamically, until the conditions for the closing of the e-Bidding as specified in Section 8.2(v) are met.
- d. **Step 4:** Upon the closing of the e-Bidding, the Provisional GSPA Quantity determined based on the last bids received shall be considered as the GSPA Quantity for each Bidder.

Bidders are requested to refer to the illustration specified at Section 8.6 of this RFP regarding determination of Provisional GSPA Quantity and GSPA Quantity pursuant to e-Bidding

8.4 Notification by mjunction and execution of GSPA

- (i) Post completion of the e-Bidding, mjunction shall notify the Consortium and identified Bidders on GSPA Quantity determined pursuant to Bidder's last bid during the e-Bidding. For the purpose of signing the GSPA, the GSPA Quantity in SCMD shall be converted into MMBtu per day based on GCV of **0.038 MMBtu per SCM** ("standard cubic meter"). Based on the above, the Consortium shall execute GSPA with the Buyer. The execution of GSPA will be subject to Buyer having cleared the "**CDD**" to the satisfaction of the Sellers.
- (ii) Sellers shall request Buyer to submit the documents required for undertaking the "**CDD**" prior to the execution of the GSPA. The indicative list of documents is provided at Annexure VII of this RFP.
- (iii) mjunction shall provide Consortium with the list of remaining Bidders along with their last bid parameters, in decreasing order of their 'Bid against price basis', during the e-Bidding ("Additional Bidders"). Consortium at its sole discretion may invite Bidders from Additional Bidders to execute GSPAs.

8.5 Illustration of the Bidder's screen

The snapshot of the screen on which each Bidder shall be required to place their bids have been illustrated below:

Back
40509
RIL Request for Proposal No. RFP/KGD6/2023/001
Your sector: CNG(T)/PNG(D)
Bid History
Refresh

Start Date & Time: 2023-04-28 15:45:00
Stop Date & Time: 2023-04-28 17:15:00

Bid Configuration
 Starting Bid against Price Basis: V
 (in US\$/MMBtu) -0.06

Bid Volume(in SCMD)
 Min 10000.00 Max 3500000.00

Bid Tenure(in Years)
 Min 3 Max 5

Ticker Criteria
 Ticker for Bid against Price Basis(in US\$/MMBtu) 0.09

Bid Volume Ticker (in SCMD) 10000.00

Ticker for Bid Tenure(in Years) 1

Bid Remaining Time(hh:mm:ss) 00:51:42
Time Remaining "First Bid Period" (hh:mm:ss) 00:21:42

Next Possible Bid against Price Basis: V (in US\$/MMBtu) **-0.06 or higher as per Ticker**

Highest Bid against Price Basis: V (in US\$/MMBtu) **N/A**

Last Valid Bid against Price Basis (in US\$/MMBtu) Not Bidded

Provisional GSPA Quantity (in SCMD) 0

Bid Tenure (in Years) Not Bidded

| Auction Name | Total Available Volume (in SCMD) | Bid Price (in US\$/MMBtu) | Bid Volume (in SCMD) | Bid Tenure (in Years) | Action |
|--|----------------------------------|---------------------------|----------------------|-----------------------|--|
| RIL Request for Proposal No. RFP/KGD6/2023/001 | 4000000.00 | 0 | Bid Volume (in SCMD) | 0 | Bid |

8.6 Illustration for e-Bidding

| Bidder | Mapped sector in e-Bidding Portal | Bid against price basis "V" quoted. (in \$/MMBtu) | Bid Volume quoted. (In SCMD) | Bid Tenure (In Years) | Cumulative Volume Quoted (SCMD) | Provisional GSPA Quantity (SCMD) |
|--|-----------------------------------|--|---------------------------------|--------------------------|------------------------------------|-------------------------------------|
| Bid 1 (Within First Bid Period) | | | | | | |
| Bidder 1 | CNG (T) / PNG (D) | -0.06 | 4,00,000 | 5 | 4,00,000 | 4,00,000 |
| Bidder 2 | Fertiliser | -0.06 | 20,00,000 | 3 | 24,00,000 | 6,00,000 |
| Bidder 3 | CNG (T) / PNG (D) | -0.06 | 5,00,000 | 5 | 29,00,000 | 5,00,000 |
| Bidder 4 | Power | -0.06 | 2,50,000 | 3 | 31,50,000 | - |
| Bidder 5 | End Consumers/Traders | -0.06 | 25,00,000 | 5 | 56,50,000 | 25,00,000 |
| Bidder 6 | End Consumers/Traders | -0.06 | 10,00,000 | 3 | 66,50,000 | - |
| Bidder 7 (Does not submit bid) | Fertiliser | NA | NA | NA | NA | NA |
| Bid 2 | | | | | | |
| Bidder | Mapped sector in e-Bidding Portal | Bid against price basis "V" quoted. (in \$/MMBtu) | Bid Volume quoted. (In SCMD) | Bid Tenure (In Years) | Cumulative Volume Quoted (SCMD) | Provisional GSPA Quantity (SCMD) |
| Bidder 1 | CNG (T) / PNG (D) | -0.06 | 4,00,000 | 5 | 4,00,000 | 4,00,000 |
| Bidder 2 | Fertiliser | -0.06 | 20,00,000 | 3 | 24,00,000 | - |
| Bidder 3 | CNG (T) / PNG (D) | -0.06 | 5,00,000 | 5 | 29,00,000 | 5,00,000 |
| Bidder 4 | Power | -0.06 | 2,50,000 | 3 | 31,50,000 | - |
| Bidder 5 | End Consumers/Traders | -0.06 | 25,00,000 | 5 | 56,50,000 | 21,00,000 |
| Bidder 6 | End Consumers/Traders | 0.03 | 10,00,000 | 5 | 66,50,000 | 10,00,000 |
| Bid 3 | | | | | | |
| Bidder | Mapped sector in e-Bidding Portal | Bid against price basis "V" quoted. (in \$/MMBtu) | Bid Volume quoted. (In SCMD) | Bid Tenure (In Years) | Cumulative Volume Quoted (SCMD) | Provisional GSPA Quantity (SCMD) |
| Bidder 1 | CNG (T) / PNG (D) | -0.06 | 4,00,000 | 5 | 4,00,000 | 3,33,333 |
| Bidder 2 | Fertiliser | -0.06 | 20,00,000 | 3 | 24,00,000 | 20,00,000 |
| Bidder 3 | CNG (T) / PNG (D) | -0.06 | 5,00,000 | 5 | 29,00,000 | 4,16,667 |
| Bidder 4 | Power | -0.06 | 2,50,000 | 3 | 31,50,000 | 2,50,000 |
| Bidder 5 | End Consumers/Traders | -0.06 | 25,00,000 | 5 | 56,50,000 | - |
| Bidder 6 | End Consumers/Traders | 0.03 | 10,00,000 | 5 | 66,50,000 | 10,00,000 |
| Bid 4 (No revision in bids in last 10 Minutes – bidding closure) | | | | | | |
| Bidder | Mapped sector in e-Bidding Portal | Bid against price basis "V" quoted. (in \$/MMBtu) | Bid Volume quoted. (In SCMD) | Bid Tenure (In Years) | Cumulative Volume Quoted (SCMD) | GSPA Quantity (SCMD) |
| Bidder 1 | CNG (T) / PNG (D) | -0.06 | - | 5 | - | 3,33,333 |
| Bidder 2 | Fertiliser | -0.06 | - | 3 | - | 20,00,000 |
| Bidder 3 | CNG (T) / PNG (D) | -0.06 | - | 5 | - | 4,16,667 |
| Bidder 4 | Power | -0.06 | - | 3 | - | 2,50,000 |
| Bidder 5 | End Consumers/Traders | -0.06 | - | 5 | - | - |
| Bidder 6 | End Consumers/Traders | 0.03 | - | 5 | - | 10,00,000 |

Upon closure of the e-Bidding, Consortium shall execute separate GSPAs with Bidder 1, Bidder 2, Bidder 3, Bidder 4 and Bidder 6. The DCQs for these GSPAs shall be 3,33,333 SCMD, 20,00,000 SCMD, 4,16,667 SCMD, 2,50,000 SCMD, and 10,00,000 SCMD, respectively.

8.7 Bidding Support

A Bidder who requires any clarifications pertaining to the bidding process in general or any technical support during bidding process may seek the required assistance at the following contact details:

| Query Type | Contact Details |
|---|---|
| For queries related with the e-Tendering Portal Email: rilkgd6bidding@mjunction.in | Helpdesk nos : 033-6601-1717 / 033-6603-1747 In case of escalation: Level 1 - Rinku Ghosh 08584008162 Level 2 – Ankit Kumar 09009014831 |
| For queries related with the e-Bidding Portal Email: rilkgd6bidding@mjunction.in | Helpdesk nos: <ol style="list-style-type: none">1. Souvik Ghosh - 091633481342. Arijit Paul – 091633482773. Amit Banerjee – 091633482814. Shamima Shabnam – 09163348123 |

9. Bid Formats

9.1 Annexure I (a): Format of net worth certificate to be provided by Bidder

On company's letter head

Date []

From:

[Company's exact legal name & address]

To:

Mr. Ankit Kumar
mjunction services limited,
Godrej Waterside, 3rd Floor, Tower 1, Plot V,
Block DP, Sector V, Salt Lake,
Kolkata – 700091.
Ph. 033-66106444

Sub: Net worth certificate as at 31 March 2022

We _____ (customer to specify exact legal name), having our registered office at _____, hereby enclose our Net worth certificate as at 31 March 2022, issued by statutory auditor/Chartered Accountant which has been computed as per the definition of "net worth" provided under section 2(57) of the Companies Act, 2013 and is based on the company's audited financial statements for FY 2021-22.

Authorized Representative

Name

Signature

Designation

Company Seal

Enclosed-

- (i) Net worth certificate from statutory auditor/ CA.
- (ii) Filled Table 1 of the ATTACHMENT.

ATTACHMENT

Table 1: Calculation of net worth as at 31 March 2022:

| Sl. | Particulars | Amount (INR) |
|---|--|--------------|
| Calculation of Net worth as at 31 March 2022 | | |
| | Equity Share Capital | |
| | Preference Share Capital | |
| 1 | Total Paid-up Share Capital | |
| | Reserves & Surplus: (created out of the profits and securities premium account) (should not include reserve created out of revaluation of assets, write back of depreciation and amalgamation) | |
| 2 | Total Reserves and Surplus | |
| 3 | Aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure not written off | |
| 4 | Net worth (1+2) – (3) as per Section 2(57) of Companies Act, 2013 | |

Annexure I(b): Format of net worth certificate to be provided by Bidder's holding/associate/subsidiary/ company or promoter

[To be signed by Company Secretary of the holding/associate/subsidiary company / promoter]

[On holding/associate/subsidiary company or promoter's letter head]

Date []

From:

[Company's exact legal name & address]

To:

Mr. Ankit Kumar
mjunction services limited,
Godrej Waterside, 3rd Floor, Tower 1, Plot V,
Block DP, Sector V, Salt Lake,
Kolkata – 700091.
Ph. 033-66106444

Sub: Net worth certificate

In reference to participation by _____ [*name of the bidder*] in the bidding process pursuant to RFP No. RFP/KGD6/2023/001 , we _____ (holding/associate/subsidiary company/promoter) [~~strikethrough whichever is not applicable~~], having our registered office at _____, hereby enclose our Net worth certificate as at 31 March 2022 [*for Indian entity*] / 31 December 2021 [*for foreign entity*], issued by statutory auditor/Chartered Accountant which has been computed as per the definition of "net worth" provided under section 2(57) of the Companies Act, 2013 and is based on the company's audited financial statements for FY 2021-22 [*for Indian entity*] / CY 2021 [*for foreign entity*].

Name

Signature

Designation

Company Seal

Enclosed-

- (i) **Net worth certificate from statutory auditor/ CA.**
- (ii) **Filled Table 1 of the ATTACHMENT.**
- (iii) **Audited annual report or CA certified document for establishing relationship between the Bidder and such associate or subsidiary or holding company or promoter.**

Note: *In case of holding/associate/subsidiary company / promoter being a foreign entity, the letter can also be signed by Director of such company or an authorized representative along with relevant document demonstrating authority of such signatory.*

ATTACHMENT

Table 1: Calculation of net worth as at 31 March 2022 [*for Indian entity*] / 31 December 2021 [*for foreign entity*]:

| Sl. | Particulars | Amount (INR) |
|---|--|--------------|
| Calculation of Net worth as at 31 March 2022 | | |
| | Equity Share Capital | |
| | Preference Share Capital | |
| 1 | Total Paid-up Share Capital | |
| | Reserves & Surplus: (created out of the profits and securities premium account) (should not include reserve created out of revaluation of assets, write back of depreciation and amalgamation) | |
| 2 | Total Reserves and Surplus | |
| 3 | Aggregate value of the accumulated losses, deferred expenditure and miscellaneous expenditure not written off | |
| 4 | Net worth (1+2) – (3) as per Section 2(57) of Companies Act, 2013 | |

[Foreign entities can use Exchange Rate as on 31 Dec 2021 for converting (Euro or Dollar) to INR]*

9.2 Annexure II: Format of Bank Guarantee for Security Deposit

[On Non-Judicial stamp paper. Please select either RIL or BPEAL as beneficiary and delete the name of other beneficiary in whose name Bank Guarantee is not issued]

Beneficiary:

Reliance Industries Limited ("RIL")
E&P Division,
Reliance Corporate Park,
Thane Belapur Road, Ghansoli
Navi Mumbai – 400 701

OR

BP Exploration (Alpha) Limited ("BPEAL")
71, 73, 7th Floor,
2 North Avenue, Maker Maxity,
Bandra Kurla Complex, Bandra (East),
Mumbai - 400051

WHEREAS _____ (Name of Bidder) (the "Bidder") has submitted its bid in accordance with Request for Proposal No. RFP/KGD6/2023/001 ("RFP") for participating in the e-Bidding;

KNOW ALL MEN by these presents that we, _____ Bank, [a body corporate constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/ 1980, having its Head Office at _____ and a branch office, amongst other places, at _____] (applicable for Public sector banks) / [_____ Bank, a company incorporated and registered under Companies Act, 1956 (1 of 1956) and a banking company within the meaning of Section 5 (c) of the Banking Regulation Act, 1949 (10 of 1949) and having its Registered Office at _____ and a branch office, amongst other places, at] (applicable for private sector banks) (the "Bank") are bound unto [RIL/BPEAL] for the sum of Rs. _____ (Rupees _____ only) for which payment well and truly to be made to [RIL/BPEAL], the Bank binds itself, its successors and permitted assigns by these presents;

The Bank agrees that this Bank Guarantee shall be enforced by RIL/BPEAL if,

the Bidder having been notified under Clause 8.4 of RFP by mjunction services limited of being the identified Bidder, i.e. Buyer under the RFP, fails or refuses to (i) execute Gas Sale and Purchase Agreement (the "GSPA") on or before seven (7) Days from the date of closure of the e-Bidding and/or (ii) submit documents as per Annexure VII of the Request for Proposal No. RFP/KGD6/2023/001 and various declarations under Request for Proposal No. RFP/KGD6/2023/001, as a pre-requisite for the execution of GSPA (iii) furnish payment security to each of the Sellers under the GSPA in accordance with the terms of the GSPA;

We undertake to pay without any delay or demur to [RIL/BPEAL] up to the above amount upon receipt of its first written demand stating the occurrence of the aforesaid condition or conditions without [RIL/BPEAL] having to substantiate its demand.

Notwithstanding anything contained herein: (1) our liability under this Bank Guarantee shall not exceed Rs _____ (Rupees _____ only); (2) this Bank Guarantee is valid up to 31 July 2023; and (3) we are liable to pay the guaranteed amount or any part thereof under this Bank guarantee only and only if [RIL/BPEAL] serves upon us a written claim or demand on or before _____ (mention period of the Guarantee as found under clause (2) above plus a claim period of 30 days).

Dated _____ day of _____ 2023

SIGNATURE OF THE BANK

9.3 Annexure III: Confirmation to be given by the prospective Bidder

Following confirmations are to be given by the Bidder by putting a tick (✓) in the last column

| Particulars | Confirmation |
|---|--------------|
| We hereby confirm that we have read and understood the Gas Sale and Purchase Agreement. | |
| We hereby confirm that we have read and understood the terms and condition provided in this RFP. | |
| We hereby confirm that we have read and understood the e-Bidding described in this RFP. | |
| We hereby confirm that details furnished in “Annexure I” to this RFP are true and correct. | |
| We hereby confirm that we have read and understood the system requirements as provided in Section 4 of this RFP and Annexure IV to this RFP. | |
| We hereby confirm to take part in the bidding as per the instructions and process described in this RFP. | |
| We hereby confirm that we are in compliance with the requirements of the entire bidding process and no deviations have been taken to the requirements in this RFP (including any addendums, corrigendum etc.) and the GSPA. | |
| We hereby confirm that all handwritten matter in all the documents submitted are authenticated by us. | |
| We hereby confirm that the unconditional validity of our bid submitted on the e-Bidding Platform shall be valid for a period of six (6) months from e-Bidding Date. | |

Authorized Representative

Name

Signature

Designation

Company Seal

9.4 Annexure IV: System Requirements

This Annexure IV to this RFP contains information regarding system requirements over and above the requirements specified in Section 4 of this RFP. In case of any conflict between the provisions of this Annexure IV to this RFP and the provisions of Section 4 of this RFP, each Bidder is hereby requested to consider the provisions of Section 4 of this RFP as appropriate.

9.1.1 Java

Java Platform/Applet is used for Digital Signature generation, verification. Under Windows, the browsers will usually, but not always, have Java enabled by default. Supporting installable files for e bidding process would be available on the home page for the users to download along with its instructions.

Please note that appropriate administrative rights may be required in order to install supporting tool available on the e-Bidding Platform and Digital Signature Certificate (DSC) on the Bidder's computer.

A Bidder should ensure that its computer is free from viruses, especially key-logging programs. It is the responsibility of each Bidder to ensure that computer is functioning reliably and that appropriate computer security measures are in force. Once the DSC that authenticates the Bidder has been installed on the computer, the Bidder should ensure that the computer is kept secure and not accessible by unauthorized personnel.

9.1.2 Tool bar/ Add-On/ Pop up blocker

A Bidder should ensure that there is no software installed on its computers that might interfere with the normal operation of its Internet browser. Each Bidder should ensure that it does not use any pop-up blockers, such as those provided by Internet Explorer and complementary software (e.g. the Google tool bar).

9.1.3 Power Management Settings

To ensure that a Bidder does not face any delay or difficulty in accessing the e-Bidding Platform, it is recommended that a Bidder:

- a) turns off any power management features on its computer such as automatic hibernation or suspension; and
- b) disables any screensavers.

If a Bidder's computer hibernates or suspends automatically, it will need to go through the login procedures again when the computer is awakened. This will cause some delay in returning to the e-Bidding Platform.

9.1.4 Access of other Software / Website during e-Bidding

It is recommended that a Bidder does not open other web pages when it is accessing the e-Bidding Platform. Viewing other web pages (especially complex ones) while accessing the e-Bidding Platform increases the risk of possible problems with its browser. Therefore, it is recommended that each Bidder should dedicate one computer to run the e-Bidding, and not to utilize such designated computer to access other web pages or run other platforms. This will help to minimize the risk of crashes or other potential problems.

9.1.5 Internet Connection

To access the e-Bidding Platform, a Bidder will need an Internet connection. We recommend that a Bidder use a reliable broadband Internet connection with a download bandwidth of 1MBPS or higher. Wireless connections may be adequate, but it is important that the latency of network connections to the e-Bidding does not exceed 20-30 seconds to ensure reliable access.

It is recommended that a Bidder has a back-up computer and backup Internet connection that can be used if either its primary computer or Internet connection fails.

9.1.6 Display

A Bidder is recommended to use a display with a screen resolution of 1366 X 768. A Bidder can use a lower screen resolution, but it may find that some tables are difficult to view.

9.1.7 e-Bidding Platform backup Facilities

If the main server fails, the e-Bidding will be resumed using backup facilities. The normal process for this would be the following:

- (i) mjunction would advise all Bidders directly of the need to switch to the back-up system and the time from which the back-up facility should be expected to be online and available to all Bidders.
- (ii) If the primary server remains available, a Bidder would be required to log out normally. Otherwise, a Bidder would be advised to close its Internet Explorer browser.
- (iii) Once the back-up facilities are online, all eligible Bidders will be duly advised by mjunction regarding the e-Bidding.

9.5 Annexure V: Name of Banks for issuing Bank Guarantee by the Bidder

For RIL, Bidders can issue the Bank Guarantee (“BG”) from any of the Banks listed below. However, for BPEAL the Bidders shall issue the BG only from the banks marked with (*). BGs from any subsidiaries or affiliates of banks listed below will not be accepted.

| Public Sector Banks | Private Banks | Foreign Banks |
|----------------------|-----------------------------|--|
| Union Bank of India | Axis Bank Limited* | Australia and New Zealand Banking Group Limited* |
| Bank of Baroda* | Kotak Mahindra Bank Limited | BNP Paribas* |
| Bank of India* | HDFC Bank Limited* | Credit Agricole Corporate & Investment Bank* |
| Punjab National Bank | ICICI Bank Limited* | Societe Generale |
| State Bank of India* | IDBI Bank | Deutsche Bank* |
| | IndusInd Bank | HSBC Limited* |
| | | Mizuho Bank Limited* |
| | | Sumitomo Mitsui Banking Corporation* |
| | | The Bank of Tokyo- Mitsubishi UFJ, Ltd. |
| | | Barclays Bank Plc.* |
| | | Standard Chartered Bank* |
| | | Bank of America* |
| | | Citibank N.A.* |
| | | J.P. Morgan Chase Bank N.A.* |
| | | DBS Bank India Limited* |

9.6 Annexure VI: Format for Declaration of aggregate gas requirement of more than 50000 SCMD (only for Bidders who are end consumers)

On company's letter head

Date []

From:

[Company's exact legal name & address]

To:

Mr. Ankit Kumar

mjunction services limited,

Godrej Waterside, 3rd Floor, Tower 1, Plot V,

Block DP, Sector V, Salt Lake,

Kolkata – 700091.

Ph. 033-66106444

Sub: Declaration for aggregate gas requirement of more than 50000 SCMD.

We _____ (customer to specify exact legal name), having our registered office at _____, hereby declare that our aggregate gas requirement at each of our gas consuming facilities is more than 50,000 SCMD and we shall not use the CGD pipeline network for transportation of gas allocated to these facilities.

Authorized Representative

Name

Signature

Designation

Company Seal

9.7 Annexure VII: Indicative list of documents

A. Documents listed at Section 9.7 (A) shall be required to be provided by Buyer for “CDD”:

1. Counterparty contact details – name & e-mail address of the person who can be contacted for follow on information required for “CDD”;
2. GST registration number of counter party;
3. PAN of counter party;
4. Certification of incorporation.

On submission of above documents, a follow-on request to fill an online form will be sent to the email address provided in Section 9.7(A)(1) to proceed further with “CDD”.

B. Other attested documents required to be furnished by Buyer to Sellers before the execution of the GSPA are:

- i. its Company Registration Certificate;
- ii. its Audited Financial Statements for the last three financial years. In case company's incorporation is for less than three (3) years, then it shall provide the Audited Financial Statement since inception till date;
- iii. its PAN Card;
- iv. its Value Added Tax Registration Certificate;
- v. its Central Sales Tax Registration Certificate;
- vi. its Goods & Services Tax (GST) Registration Certificate;
- vii. its Memorandum of Association and Articles of Association;
- viii. its register of directors or board resolution appointing the current directors;
- ix. its copy of register detailing the shareholding breakdown of the company; and
- x. its copy of TAN

Each of the foregoing documents listed under Section 9.7 (A) and 9.7 (B) of this Annexure VII should be attested by the Authorized Representative of the Buyer.

9.9 Annexure IX (a): Format for declaration w.r.t minimum gas procurement requirement of the Bidder

[On company's letter head]

Date []

From:

[Company's exact legal name & address]

To:

Mr. Ankit Kumar
mjunction services limited,
Godrej Waterside, 3rd Floor, Tower 1, Plot V,
Block DP, Sector V, Salt Lake,
Kolkata – 700091.
Ph. 033-66106444

Sub: Declaration by the Bidder w.r.t minimum gas procurement criteria

We _____ (customer to specify exact legal name), having our registered office at _____, hereby enclose certificate from statutory auditor/ CA certifying that our gas procurement for FY 2021-22 was _____ MMSCM/SCM or FY 2022-23 (till 28 February 2023) was _____ MMSCM/SCM.

Authorized Representative

Name

Signature

Designation

Company Seal

Enclosed- Certificate from statutory auditor/ CA.

Annexure IX (b): Format for declaration w.r.t minimum gas procurement requirement to be provided by Bidder's holding/associate/subsidiary company/promoter

[To be signed by Company Secretary of the holding/associate/subsidiary company / promoter]

[On holding/associate/subsidiary company or promoter's letter head]

Date []

From:

[Company's exact legal name & address]

To:

Mr. Ankit Kumar

mjunction services limited,

Godrej Waterside, 3rd Floor, Tower 1, Plot V,

Block DP, Sector V, Salt Lake,

Kolkata – 700091.

Ph. 033-66106444

Sub: Declaration by the Bidder w.r.t minimum gas procurement criteria

We _____ (customer to specify exact legal name), having our registered office at _____, hereby enclose certificate from statutory auditor/ CA certifying that our gas procurement for FY 2021-22 was _____ MMSCM/SCM or FY 2022-23 (till 28 February 2023) was _____ MMSCM/SCM.

Name

Signature

Designation

Company Seal

Enclosed- Certificate from statutory auditor/ CA.

Note: In case of holding/associate/subsidiary company / promoter being a foreign entity, the letter can also be signed by Director of such company or an authorized representative along with relevant document demonstrating authority of such signatory.

9.10 Annexure X: Format for declaration towards use of gas

[On company's letter head]

Date []

From:

[Company's exact legal name & address]

To whomsoever it may concern

Sub: Declaration of use of Gas

- I. We _____ (customer to specify exact legal name), having our registered office at _____ do hereby declare that we belong to [**"CNG(T)/PNG(D)"/"Fertilizer"/ "Power Plants"/ "End Consumers/Traders"**] (*strike off which is non-relevant*) sector wish to use gas for the purpose of _____.
- II. We confirm that we shall comply to all the conditions mentioned in MoPNG Notification No. Expl-150222(13)/234/2019-ONG-V dated 13th Jan 2023 and any further notification/clarification issued by MoPNG and furnish any further details and supporting documents which may be required in this regard from time to time.

Enclosed: Supporting documents as specified in Section 5(xii) of this RFP.

Authorized Representative

Name

Signature

Designation

Company Seal

9.11 Annexure XI: Declaration to provide transaction details (only for Bidders who are Traders)

[On company's letter head]

Date []

From:

[Company's exact legal name & address]

To whomsoever it may concern

Sub: Declaration to provide transaction details

Pursuant to the MoPNG Notification No. Expl-150222(13)/234/2019-ONG-V dated 13th Jan 2023 and any further notification/clarification issued by MoPNG from time to time, we hereby undertake to provide all transaction details for the gas purchased under the GSPA (s), including cumulative value of the trading margin charged by all the traders involved in the chain of transaction between the Sellers till the gas is sold to ultimate Buyer along with relevant Buyer details.

Authorized Representative

Name

Signature

Designation

Company Seal

10. Gas Sale and Purchase Agreement (GSPA)

As provided at e-Tendering Portal.

11. Checklist for the prospective Bidders

Each Bidder is advised to ensure that the following points/aspects have been complied with:

| Sr No | Item | Write "Yes" or "No" | Remarks if any |
|-------|---|---------------------|----------------|
| 1 | Whether the RFP (including any addendums, corrigendum etc.) and the GSPA have been duly signed on all pages by an Authorized Representative of the company and uploaded on the e-Tendering Portal? | | |
| 2 | Whether all relevant Annexures to the RFP have been duly filled and signed by an Authorized Representative of the Bidder? | | |
| 3 | Has it been ensured that there are no over-writings in the RFP? Have corrections been properly attested by the authorized person signing the RFP? | | |
| 4 | Has the Power of Attorney or any other document evidencing adequate proof of the ability of the signatory to bind the Bidder, been submitted? | | |
| 5 | Has the Security Deposit in the form of Bank Guarantee (in the form specified in Annexure II to the RFP) been submitted? | | |
| 6 | Does the Digital Signature Certificate have sufficient validity to ensure access to the e-Bidding Platform and participation in the e-Bidding? | | |
| 7 | Has it been ensured that the DSC mapped on e-Bidding Platform, is in the name of Authorized Representative of the company for whom the POA or board resolution has been submitted as per Section 7.2.2? | | |
| 8 | Whether Bidder has registered with same email ID of Authorized Representative for which the DSC has been issued for e-Tendering Portal and same DSC has been mapped on e-Bidding Portal? | | |

12. Confidentiality Clause

This RFP contains confidential information regarding the Consortium's business, plans and projects. By accepting this RFP, each Bidder agrees that it: (i) will cause its members/directors, officers, employees, agents advisors and representatives to use this RFP only for the purposes of evaluating and/or submitting a bid and for no other purpose; (ii) will not divulge or distribute any such information or pass any copies of the RFP to any other person (except for such other person's legitimate use for the purpose of evaluating the RFP and provided such other person undertakes in writing in advance of such disclosure to observe these confidentiality requirements) without the prior written approval of the Consortium; and (iii) will return the RFP together with all copies thereto to the Consortium upon being so requested to do so.