

REQUEST FOR PROPOSAL

(No. RFP/Hazarigaon/2021/1)

E-AUCTION

FOR

SALE OF NATURAL GAS

FROM

HAZARIGAON CONTRACT AREA

(AA/ONDSF/HAZARIGAON/2018)

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Section A – E-auction details

1. Overview

1.1 Introduction

- 1.1. Vedanta Limited (erstwhile Cairn India Limited merged with Vedanta Limited w.e.f. April 11, 2017, pursuant to NCLT order dated March 23, 2017) is a globally diversified natural resources company with interest in Zinc, Iron Ore, Aluminium, Copper, Power and Oil & Gas. Through Cairn, its upstream Oil and Gas division, Vedanta is the operator of the Onshore AA/ONDSF/Hazarigaon/2018, Assam block
- 1.2. Vedanta Limited has developed Hazarigaon field to process and evacuate natural gas produced from this Block in Assam (hereinafter “Gas Field”).
- 1.3. In line with the “Natural Gas Marketing Reforms” notification published by Ministry of Petroleum and Natural Gas (MoPNG) on 15th October 2020 and detailed guidelines issued on 3rd December 2020 as “Discovery of Market Price for Domestically Produced Natural Gas through e-bidding” notification (“Ministry Notifications”), Vedanta has issued a Notice Inviting Offer dated 9th September 2021 and invited offers from interested companies (each, a “Bidder” and collectively, the “Bidders”) to offtake all or a portion of 0.1 MMSCM of gas available for sale (“Sale gas”) from the Gas Field and in accordance with the terms and conditions of this RFP and the Gas Sale Agreement (the “GSA”), commencing from January to March 2022, contract duration shall be for 8 years. The Buyer shall make its own transport arrangements to offtake and evacuate Gas from the Delivery Point.
- 1.4. The company has appointed Mjunction Services Limited as an independent agency (e-Auction agency) empaneled by Directorate General of Hydrocarbons (DGH), to conduct bidding process for sale of gas through an online web based electronic bidding portal which is available at <https://eps.buyjunction.in/gasbidding> (the “E-Portal”) (Refer Section B). This link for E-Portal has been webhosted on the websites of DGH as well.

1.2 Details of the gas offered from the Fields

Details of Gas offered from the field is as follows:

S. N	Parameter	Particulars
1.	Name of the Contract Area	AA/ONDSF/Hazarigaon/2018
2	Location of Well Pad	Coordinates: N- 26° 16' 10" E- 93° 56' 38"
3.	Sales Gas Quantity offered (MMSCMD)	0.10
4	Start Date	01 st January/ 01 st February/01 st March 2022
5	Duration of Gas offered*	8 Years (from 1 st March 2022)
6.	Typical Calorific Value (KCal/SCM)	Gross Calorific Value: ~9,200 KCal/SCM

7.	Delivery Point	Outlet flange of the Hazarigaon well Pad, Assam
8.	Pricing formula (USD/MMBtu)*	APM + 1.0 + P
9.	URL for registration and document upload for Technical evaluation	https://eps.buyjunction.in/gasbidding
10.	Queries	cairngasbidding@mjunction.in

*For details, please refer to the GSA

1.3 Bidding Process

The overall bidding process will be conducted in two phases – (i) pre-qualification phase and (ii) e-auction / competitive bidding phase. The detailed activities in these two phases have been outlined below:

1.3.1 Phase 1 – Pre-qualification

1. **Publishing of bidding documents:** To apprise potential Bidders of the auction process and key terms of the agreement, the bid documents such as the RFP (Request for Proposal) and GSA (Gas Sale Agreement), etc. would be made available on landing page of the e-portal. The Bidders would be able to download these documents without registering on the platform. Additionally, the NIO (Notice Inviting Offer) capturing the URL of the e-portal would be published by the Seller in the Newspapers.
2. **Clarifications to Bidders' queries:** Bidders would be able to send their queries to the designated email address (cairngasbidding@mjunction.in) before registering on the portal. However, post registration on the portal, the bidders would also be able to upload their queries on the portal. The Seller would issue clarification to all the queries received and the same would be hosted on the e-portal.
3. **Registration and DSC mapping:** The portal will be available for registration on a date specified in Clause 1.3.4 of this RFP. Every Bidder would be required to fill a small registration form and will have to enter his/her name, designation, contact number, organization name, gas consumption facility name & address, and other required details. Then they will attach a valid Class III Digital Signature Certificate (DSC) issued in the name of authorized person of the bidding organization. The DSC should be issued on the email address of the authorized person and same should be used for registering on the platform.
4. **Document upload for Technical Evaluation:** The Bidders would be required to submit the documents as per list of documents specified below for technical evaluation. The documents would be required to be duly signed and uploaded on the portal before date specified in Clause 1.3.4 of this RFP.
Each Bidder will be required to upload the following documents on the portal:
 - A. Registration/ incorporation certificate for companies, LLPs and Co-operative societies or Partnership Deed duly registered with relevant authorities in case of partnership firms
 - B. Financial statements of past 3 years. (In case the bidding entity is a newly formed company, then it can submit the financial statements of its parent company. An undertaking to the effect that the Parent Company supports the bid and authorizes the bidder to use its financials from the Parent company.)
 - C. PAN and VAT/CST/GST (as applicable) certificate
 - D. Initial Bank Guarantee (Please refer Section C - Form C4) with validity till 30th April 2021

- E. Power of Attorney / Board Resolution in the name of the authorized representative of the Bidder
- F. Signed GSA & RFP and any addendums / corrigendum thereto
- G. Documents supporting Bidder's appointment as aggregators/ CGD
- H. Signed declaration Section C - Form C1 to C3, C5 (if required) and C6
- I. Register of directors, shareholders of the company

Bidder to submit initial Bank Guarantee (BG) for INR 50 lakhs as per format indicated in Form C4. This BG would be revised as per Contract price and quantity at the time of award and to be submitted at the time of execution of the GSA or ten (10) days prior to the Start Date whichever is later.

Additionally, Bidders shall be required to separately send the **Hard copies of documents uploaded** to Vedanta's office before the last date as indicated in Clause 1.3.4:

Addressed to:
Head – Gas Marketing
Vedanta Limited (Cairn Oil & Gas),
ASF Tower A, 362-363, Jwala Mill Rd,
Phase IV, Udyog Vihar,
Sector 18, Gurugram – 122016.

The documents would be deemed to have been duly submitted only post receipt of hard copies at Vedanta's office.

- 5. **Notification to eligible Bidders by the e-auction agency:** After the evaluation of the documents, the e-auction agency shall, by email, inform all eligible Bidders of their advancement to next phase of the bidding process with auction URL on the date specified in Clause 1.3.4 of this RFP. The unsuccessful Bidders would also be separately notified, and their BGs would be returned to them within 15 working days.

1.3.2 Phase 2 - Competitive Bidding

- 6. **Mock run on competitive e-bidding:** Prior to the E-Bidding Date, the e-auction agency shall organize a mock run of E-Bidding Process to help Bidders familiarize themselves with the features of the E-Portal. Such mock run shall be held on a predetermined date as specified in Clause 1.3.4 of this RFP. The e-auction agency shall notify the requisite details for the mock run to relevant Bidders via email. Bidder can either complete the training modules uploaded on the portal or can opt for offline training session.
- 7. **Competitive e-bidding:** The bidding will start at a date and time specified in Clause 1.3.4 of this RFP. The bidding will be of 90 minutes with details of first bid and dynamic bidding as described in Clause (ii).

1.3.3 After the end of the e-auction process, Sales Gas will be allocated to the identified Bidders ("Buyers") based on the allocation criteria and method outlined in Clause 4. The Buyers will be accordingly notified over their registered email IDs. Subsequent to this, each Buyer shall:

- i. Execute GSA with the Seller as per Section D for the gas volumes, duration and price allocated to the Buyer. (If any changes are made to the draft GSA during technical queries stage, a modified draft of GSA may be published on e-portal before the start of Phase 2. This final GSA published will be deemed agreed in its entirety by all Bidders and will be used for final signoffs)

- ii. Make necessary transportation arrangements for offtake of Sales Gas from the Delivery Point to Buyer's facilities before the Start Date as indicated in the executed GSA.

1.3.4 The schedule for e-auction process has been given below:

Sr. No.	Activity	Date
1.	Publishing NIO, RFP, GSA	09 th Sept' 21
2.	Last date for submission of technical queries	13 th Sept' 21
3.	Last date for submission of documents under pre-qualification process	20 th Sept' 21
4.	Last date for submission of physical copy of BG	21 st Sept' 21
5.	Notification to technically qualified Bidders	23 rd Sept' 21
6.	E-Auction training sessions	27 th Sept' 21
7.	E-Auction date	30 th Sept' 21
8.	Allocation results – Intimation to Bidders	30 th Sept'21
9.	Signing of Gas Sales Agreement	Within 7 days from auction date

2. Eligibility Criteria

Each Bidder shall be required to meet the following basic eligibility criteria in order to participate in the auction process:

- (i) be an entity registered under the Companies Act 1956 / Companies Act 2013 / Multi State Cooperative Societies Act, 2002 / Indian Partnership Act 1932 / Limited Liability partnership Act 2008;
- (ii) be ready to consume or offtake natural gas on the Start Date through direct/ indirect connectivity through any of the natural gas pipelines or through alternate evacuation methods
- (iii) Details of proposed evacuation method/ route to be included in relevant Form C2 and C3 during submission for technical evaluation should be engaged in the business that involves either the consumption or the sale and purchase of natural gas;

Bidders would be required to submit the documents as detailed in Clause 1.3.1 of this RFP adhering to the instructions laid out in this RFP.

3. Bid Parameters and bidding rounds

To participate in the E-Bidding Process, each Bidder shall be required to quote valid bids against the three parameters specified below. At all times during the E-Bidding Process, such bid quoted must be in compliance with the criteria set forth in this section.

- (i) Price bid: Denoted as a variable 'P' as specified in Clause 3.1, that a Bidder would be required to quote in number.
- (ii) Start Date: Date among 01st January, 01st February or 01st March 2022 from when Bidder is willing to offtake gas.
- (iii) Volume: Quantum of gas volume that a Bidder would be ready to offtake as described in Clause 3.3.

3.1 Price bid

Bidder shall be required to quote the variable denoted as 'P' (**Price bid**) pursuant to the Gas Price formula specified below. 'P' shall be quoted as a non-negative value, equal to or greater than Zero (0). There shall be a provision to enter 'P' up to **two decimal places**.

- (i) **Starting Price bid:** The starting price bid ("P") for the bidding process shall be Zero (0). Each bidder shall be required to enter bids that are higher than or equal to the starting price bid. Any bids lower than such starting price bid shall not be accepted by the system.
- (ii) **Ticker size for price bid:** Only upward increments of the price bid shall be allowed and it cannot be decreased. The minimum increment ticker size for the price bid shall be **0.02**, and the Bidder can only increase its previous price bid in multiples of the ticker size defined.
- (iii) **Price Formula:** Sales Gas Price shall be as follows in USD/ MMBTU (on GCV basis) rounded to 3 decimal places:

$$\text{APM} + 1.0 + \text{P}$$

where,

"APM" shall mean gas price issued by the **Petroleum Planning & Analysis Cell from time to time under the New Domestic Natural Gas Pricing** Guidelines, 2014, issued by the Ministry of Petroleum & Natural Gas ("MoPNG"), Government of India, (Ref No.22013/27/2012-ONG D.V.) on 18th October 2014

"P" shall be a non-negative premium in USD/ MMBTU to be quoted.

3.2 Start date

During the First bid, each Bidder shall be required to indicate a start date among **01st January, 01st February or 01st March 2022** from which they are willing to offtake gas. Once submitted in the first bid, the start date would freeze, and the Bidders would not be able to change the same in subsequent bids.

3.3 Volume

A Bidder shall be required to quote Volume bids that it would be ready to offtake. Such bids should be quoted in MMSCMD. All bids quoted against Volume shall be in **two decimal places**. At all times, a Volume bid must comply with the following requirements:

- (i) **Total Volume put for auction:** A total volume of 0.1 MMSCMD that would be made available for bidding by the Seller;

- (ii) **Minimum Volume bid:** The minimum volume that a Bidder can bid for as starting volume is **0.05 MMSCMD**
- (iii) **Ticker size for volume bid increment / decrement:** The Bidders can increase/decrease their volume bid in multiples of the ticker size for volume bid. The ticker size of 0.01 MMSCMD has been set for the volume bid;
- (iv) **Rule for Increment / Decrement:** The Volume bid can be increased freely throughout the E-auction duration. However, any decrement to the volume bid shall be accompanied by a simultaneous increase in the price bid. Further any such decrement cannot be below the provisional allocation to the bidder. For more understanding on provisional allocation please refer to Clause 4.2.

3.4 E-Bidding rounds and closure

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

- I. **E-Bidding Duration:** The total E-Bidding Process shall be for a period of **90 minutes** on the E-Bidding Date specified in Clause 1.3.4 of this RFP.
- II. **First Bid rule:** Each Bidder is required to submit quotes for all three parameters (i.e. Gas Price, Volume and Start Date) during the **initial 45 minutes**. Only Bidders who have submitted at least one such valid bid (Valid bid means valid quotes for all three parameters) during this initial 45 minutes shall continue to participate in the remaining period of the e-auction process.
- III. **Dynamic bidding:** The entire bidding process will be dynamic and will be subject to extensions as per Clause 3.4. (iv) of this RFP.
- IV. **Extension of Bidding Duration:** If a valid bid is received within the last 5 minutes before the close of the e-bidding duration and such bid either alters the provisional allocation determined by the E-portal for any of the Bidder or increases the price bid pursuant to Clause 3.1 of this RFP, there would be an automatic 15 minutes extension of the bidding duration. The 15 minutes auto extension will start from the time of the first bid received within the last 5 minutes before the close of the bidding period. There will be unlimited auto extensions. In case the auction does not get closed within 18:30 hours of a particular day then the auction will get automatically paused and the same will be resumed at 11:30 hours of the next business day. In such a scenario if any bid is received within the last 5 minutes before the 18:30 hours then the auto extension will flow to next business day and the bidders will get full 15 minutes auto extension from 11:30 hours of the next business day.
- V. **Bidding Closure:** The E-Bidding Process ends if:
 - a. no valid bids are received within the first 45 minutes of the E-Bidding process; or
 - b. if the E-Bidding Duration expires with no bid revision in the period specified in Clause 3.4 (iv) of this RFP which alters the Provisional Quantity allocation.

4. Evaluation Process and Volume Allocation

4.1 Technical Evaluation Process

The e-auction agency shall electronically access the documents submitted by Bidders as specified in Clause 1.3.1 of this RFP. Each Bidder will be evaluated based on the following criteria:

- i. All the responses and declarations required for Technical Evaluation should be complete and should conform to the terms and conditions of the gas supply indicated in the RFP and GSA, duly supported with documents wherever required. In case of incomplete and non-conforming documents, Seller reserve the right to disqualify such Bidder.
- ii. Bidder as either consumer of gas or as reseller, need to submit documentary proof – being certified copy of the Firm's Memorandum of Association (for a registered company), Partnership deed (for partnership firm) or declaration from Proprietor in case of a proprietary firm (as applicable depending on type of firm) detailing the nature of business the firm is engaged in.
- iii. Bidder to submit audited annual accounts of previous three financial years. The date (i.e. the financial period closing date) of the immediate previous year's annual accounts should not be older than eighteen (18) months from the bid closing/un-priced bid opening date.

Further, it should be noted that:

- i. To facilitate its evaluation, the e-auction agency may, at its sole discretion, seek clarifications from any Bidder regarding the documents provided. Such clarification(s) shall be provided within the time specified by the e-auction agency. Any request for clarification(s) and all clarification(s) in response thereto shall be in writing. In case a Bidder does not provide the clarifications sought by the e-auction agency within the timeframes specified by the e-auction agency, its bid shall be deemed invalid and shall not be evaluated.
- ii. The e-auction agency reserves the right to reject any bid based on the evaluation of the documents. Subsequently, e-auction agency shall have the right not to entertain any request for alteration, modification or substitution of any one or all of the documents with respect to the technical evaluation, provided that e-auction agency 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.
- iii. The e-auction agency 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 Bank Guarantee shall be returned within 15 Working Days after e-auction agency's decision of not to proceed with such technical evaluation.
- iv. The Seller reserves the right to seek additional documents in future which it may deem fit to ascertain Buyer's capability to offtake gas as per the terms of GSA.

4.2 Determination of Provisional Quantity and Final Quantity Allocation

Step 1: The Gas Price Bid shall be arranged in descending order.

Step 2: The Provisional Quantity shall be determined in as follows:

- (i) The Provisional Quantity shall be determined for the highest Bidder (for Gas Price Bid) for the full volume which it has quoted, followed by the next highest Bidder (for Price bid) 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 Gas Price Bid, the E-Portal shall arrange such tied bids in descending order based on the earliest start date quoted. In such case, the Provisional Quantity shall be determined for the highest bid (for Start Date) amongst the tied bids, for the full volume which it has quoted, followed by the next highest bid (for start date) for its quoted volume or remaining volume, whichever is lower, and so on until the available volume is fully allocated.
- (iii) If there is a tie in both Gas Price Bid and Start Date and if the aggregate volume of gas quoted by these Bidders is less than the available gas volume, the Bidders will get volume allocated as per their quoted volume. In case of a tie in both the Gas Price bid and Start Date, if the aggregate volume of gas quoted in the tied bids is more than the available gas volume, the available gas volume shall be pro-rated amongst the tied Bidders.

Step 3: Steps 1 and 2 shall continue throughout the E-Bidding Process and the Provisional Quantity shall continue to be determined by the E-Portal dynamically, until the conditions for the closing of the E-Bidding Process as specified in Clause 3.4.(v) are met.

Step 4: Upon the closing of the E-Bidding Process, the Provisional Quantity determined based on the last bids received shall be considered as the Final Quantity for each Bidder.

At the end of the e-bidding process, the e-auction agency would notify all the successful Bidders regarding their respective allocated volume rounded to two (2) decimal places. The agency will share the list of successful Bidder and evaluation report with the Seller basis which Seller can proceed with the execution of GSA with successful buyers.

5. General Guidelines

- (i) Bidders are expected to thoroughly understand, evaluate and examine all instructions, forms, requirements, and terms and conditions of the GSA provided in this RFP. Each Bidder is required to submit its bid based on the terms and conditions of this RFP and the GSA, without any deviations or conditionality.
- (ii) Failure to furnish any/all information/documents required under this RFP shall lead to disqualification of the Bidder.
- (iii) Bidders are requested to submit all documents in the formats provided under Section C of this RFP. Bid documents that are not properly filled in, or are damaged, or have any page(s) missing or with incorrect, inaccurate details or generally not complying with the bid conditions shall be disqualified.
- (iv) Each Bidder shall participate in the E-Bidding Process at its own expense and none of the expenses incurred during the participation in e-auction can be claimed from the Seller, regardless of the outcome of the e-auction.
- (v) A bid, once submitted, shall be binding on the Bidder who has submitted such bid. Each Bidder undertakes to offtake the Gas volume allocated (as per Clause 4.2 of this RFP) at the end of the E-auction, at the Gas Price computed based on the bid submission as per Clause 3.1 of this RFP.
- (vi) 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 purchase of gas as per the terms of GSA; and (b) all transportation tariffs and charges and any taxes, duties and levies thereon as applicable, to the relevant transporters or any Government entity.
- (vii) The final allocated quantity as per Clause 4.2 of this RFP shall be rounded up to two decimal places.
- (viii) Each Bidder acknowledges and agrees that this Request for Proposal by the Seller does not constitute any commitment to supply or sell gas. The obligation to supply or sell gas to a Buyer shall become effective only upon the execution of the GSA by all the parties.
- (ix) A company which owns multiple gas consuming facilities (except aggregators or marketers or CGD companies) can participate in the E-Auction by a single registration for all facilities per Clause 1.3.1. of this RFP.
- (x) Any attempt by a Bidder to influence the E-Auction process or other Bidders, bid evaluation or the allocation process shall immediately result in disqualification of its bid.
- (xi) The outcome of E-auction and the allocations made thereafter, based on the criteria and process indicated in Clause 4 of this RFP, shall be final and binding on all Bidders.
- (xii) In case of any conflict between the provisions of this RFP and the GSA, the provisions of the GSA shall prevail.
- (xiii) All the notices, future amendments, if any, to this RFP and the GSA during the E-Auction process shall be published on the e-portal <https://eps.buyjunction.in/gasbidding/>
- (xiv) All the documents to be submitted online or in hard copy through the course of the E-Auction Process shall be duly signed by its Authorized Representative on all pages.

- (xv) After the registration, a unique login ID will be created for each bidding entity. It shall be the responsibility of every Bidder to ensure that it bids only through one login ID.

- (xvi) Rights of Seller:
 - a) The Seller reserve the right to withhold or withdraw the E-Auction 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.
 - b) The Seller have sole discretion and reserve the right, without any obligation or liability, to accept or reject any or all of the bids at any stage of the E-auction process.
 - c) The Seller, at their own discretion, can seek additional documents from Bidders that they may deem required to ascertain the capability of Bidders to offtake gas as per the terms of GSA.

Section B – E Portal and Information Technology Requirements

6. IT Requirement

Bidder should have a laptop or desktop with decent internet connection (10mbps and above).

E-Portal shall be best viewed in Internet Explorer 9.0. If you are using Internet Explorer 10 or above then enable compatibility view available under Tools menu

Due to security vulnerabilities, all users are requested to configure the following changes in Browser (Internet Explorer) & Java console.

- (a) Configuration of TLS 1.2 in Internet Explorer.
- (b) Installation of Java Runtime Environment 1.8 latest update.
- (c) Configuration of TLS 1.2 in Java Control Panel

You may please refer the 'Browser Setup' tab for details.

Feel free to send us an email (cairngasbidding@mjunction.in) or call helpdesk (mentioned in the portal) if you face any difficulties in registration and setting up DSC.

7. Bidder's Registration

Registration manual is available on the E-portal (<https://eps.buyjunction.in/gasbidding/>) for submission of all technical documents.

Steps for the bidder would be:

1. Purchase a class III DSC
2. Register in the portal and map your DSC
3. System will generate user ID and password and send via email to the registered email ID of the Bidder
4. Feel free to send us email (cairngasbidding@mjunction.in) or call helpdesk (mentioned in the portal) if you face any difficulties in setup DSC and registration.

Gas Bidding Portal v4.4
 Powered By **mjunction**
 Tuesday, February 02, 2021 3:07:09 PM

System Requirements
 This site is best viewed in Internet Explorer 9.0. If you are using Internet Explorer 10 or above then enable compatibility view available under Tools menu
 mjunction services ltd. doesn't take any fee /charge for Providing Vendor Support, Vendor Training and Vendor Registration.
 Due to security vulnerabilities, all users are requested to configure the following changes in Browser (Internet Explorer) & Java console.
 (a) Configuration of TLS 1.2 in Internet Explorer.
 (b) Installation of Java Runtime Environment 1.8 latest update.
 (c) Configuration of TLS 1.2 in Java Control Panel
 You may please refer the 'Browser Setup' tab for details.

Notice
NEW *New Open Tender has been published for Gas Selling*
Tender Document Reference Number: [TO_BE_ADDED_LATER]
Tender Documents:
 1) Document_001
 2) Document_002
 3) Document_003

Open Tenders Approaching End Date

Sign In
 USER CODE:
 PASSWORD:
 ORGANIZATION: CAIRN INDIA
 SUBMIT
 Forgot Password? New User?

Help Desk
 For any queries please feel free to call us on 033-6601-1717 / 033-6603-1747 / 08584008162
 Timing: [Monday to Saturday from 9:30 AM to 5:30 PM (Except Public/ Scheduled Holidays)]

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Registration and mapping before the competitive bidding shall be carried out for the qualified bidders post technical evaluation.

8. Bidding Support

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

Query Type	Contact Details
General clarification regarding bidding process	cairngasbidding@mjunction.in or call us at helpdesk mentioned on the portal
Technical support	cairngasbidding@mjunction.in or call us at helpdesk mentioned on the portal

Section C – Bid Formats

FORM C1

Initial Declaration by the Bidder (Bidder details and Checklist for Bid Submission)

<On Bidder Company's Letterhead>

To,
Dy. Chief Marketing Officer
Vedanta Limited (Cairn Oil & Gas),
ASF Tower A, 362-363, Jwala Mill Rd,
Phase IV, Udyog Vihar,
Sector 18, Gurugram – 122016.

Subject: Initial Declaration for RFP No. _____ - Login ID

Dear Sir,

We, (Customer to specify its exact legal name) having our registered office at and our principal place of business at do hereby express our interest to participate in the e-auction process for sale and purchase of Natural Gas from Hazarigaon fields of Assam Block(RFP No. _____)

We, hereby, confirm that we seek to participate in this E-Auction in the capacity of (gas aggregator/ gas end user / CGD).

In line with the requirements of the documents under pre-qualification process, we hereby furnish the following documents:

SI. No.	Bid documents check list	Confirmation (√)
1.	Registration/ incorporation certificate for companies, LLPs and Co-operative societies or Partnership Deed in case of partnership firms	
2.	Financial statements of past 3 years. (In case the bidding entity is a newly formed company, then it can submit the financial statements of its parent company.)	

3.	PAN and VAT/CST/GST (as applicable) certificate	
4.	FORM C2 or FORM C3 (whichever is applicable)	
5.	Initial Bank Guarantee as per FORM C4 (amount as indicated in 1.3.1)	
6.	FORM C5	
7.	FORM C6	
8.	Power of Attorney / Board Resolution in the name of the authorized representative of the Bidder	
9.	Signed GSA & RFP	
10.	Documents supporting Bidder's appointment as aggregators/ CGD	
11.	Register of directors, shareholders of the company	

Further, we confirm the following:

SI. No.	Particulars	Confirmation (√)
1.	We hereby confirm that we have read and understood all the terms and conditions of the RFP.	
2.	We hereby confirm that we have read and understood all terms and conditions of the Gas Sales Agreement.	
3.	We hereby confirm that we have read and understood all the amendments and clarifications issued to RFP and GSA.	
4.	We hereby confirm that we have read and understood the entire E-Auction Process and General Guidelines	
5.	We hereby confirm that all the details provided by us in this form, all the declaration forms of this RFP and all the forms submitted online are true to the best of our knowledge. We understand that if any detail is found incorrect at a later stage, our bid may stand disqualified.	
6.	We hereby confirm that we are in compliance with all the requirements of this E-Auction process including all the technical requirements.	

For, [.....]

Name of the Authorized Signatory:

Designation:

(Company Seal)

FORM C2

**Declaration by the Bidder Registered as an End User
(Facility, Consumption, Infrastructure Connectivity and Commercial Details)**

<On Bidder Company's Letterhead>

To,
Dy. Chief Marketing Officer
Vedanta Limited (Cairn Oil & Gas),
ASF Tower A, 362-363, Jwala Mill Rd,
Phase IV, Udyog Vihar,
Sector 18, Gurugram – 122016.

Subject: Form C2 Declaration for RFP No. _____ - Login ID

Dear Sir,

We, (Customer to specify its exact legal name) having our registered office at and our principal place of business at do hereby confirm the following:

Sl. No.	Particulars	Details to be furnished by Bidder
1.	Name and location of the gas consumption facility (existing / proposed)	
2.	Purpose of gas consumption	
3.	Average gas consumption in FY'21	MMSCMD
4.	Planned average gas consumption in FY'22	MMSCMD
5.	Nearest pipeline connected to the consumption facility to offtake gas from Delivery Point	
6.	Any pipeline likely to be connected to the consumption facility to offtake gas from Delivery Point	

7.	Any alternate evacuation method to offtake gas from Delivery Point (details / schematic to be attached with this form)	
----	--	--

For, [.....]

Authorised Signatory

Name of the Authorised Signatory:

Designation:

(Company Seal)

FORM C3**Declaration by the Bidder Registered as an Aggregator / Marketer / CGD****(Gas Demand Profile, Infrastructure Connectivity and Commercial Details)**

<On Bidder Company's Letterhead>

To,
 Dy. Chief Marketing Officer
 Vedanta Limited (Cairn Oil & Gas),
 ASF Tower A, 362-363, Jwala Mill Rd,
 Phase IV, Udyog Vihar,
 Sector 18, Gurugram – 122016.

Subject: Form C Declaration for RFP No. _____ - Login ID

Dear Sir,

We, (Customer to specify its exact legal name) having our registered office at and our principal place of business at do hereby confirm the following:

Sl. No.	Particulars	Details to be furnished by Bidder
1.	Average gas marketed in FY'21	MMSCMD
2.	Average gas planned to be marketed in FY'22	MMSCMD
3.	Gas consumption sectors	
4.	Pipeline connected to offtake gas from Delivery Point	
5.	Any pipeline likely to be connected to offtake gas from Delivery Point	
6.	Any alternate evacuation method to offtake gas from Delivery Point (details / schematic to be attached with this form)	

For, [.....]

Authorised Signatory

Name of the Authorised Signatory:

Designation:

(Company Seal)

FORM C4

Bank Guarantee format for Initial Security Deposit

No

To,
Vedanta Ltd.
ASF Tower A
362-363, Jwala Mill Rd,
Phase IV, Udyog Vihar,
Sector 18, Gurugram – 122016.

Kind attention: Head – Marketing and Sales

Sir,

1. In consideration of the offer for natural gas exclusively through e-auction by Vedanta Ltd., a body corporate established under the laws of the India, and having its registered office at 1st Floor, Wing “C”, Unit No. 103, Corporate Avenue, Atul Projects, Chakala, Andheri (East), Mumbai – 400 093, India, and its Oil and Gas corporate office at ASF Centre, Tower A, 362-363, Jwala Mill Road Phase IV, Udyog Vihar, Sector 18, Gurgaon 122016 Haryana, India (hereinafter referred to as “Company”, which expression shall, unless repugnant to the context or meaning thereof, include all its successors, administrators, executors and assigns) ,..... Name of the Bidder) having its registered office/principal place of business at _____(address of the Bidder) (hereinafter referred to as the "Bidder" initially and once succeeded in the Bid referred to as "Buyer" which term shall unless excluded or repugnant to the subject or context include its legal representatives, successors and permitted assigns in case of company) being required to furnish Earnest Money Deposit (EMD) [INR/USD] _____ (in figures & words) for the purpose of participating in the Bid and the said EMD to be converted to Security Deposit till the submission of performance bank guarantee under the gas sales contract (Contract) as may be entered into between the Company and the Buyer as per the terms of the Request for Proposal RFP/Hazarigaon/2021/1.
2. We, _____, (Name of the bank) registered under the laws of _____, having head / registered office at _____ (hereinafter referred to as the “Bank”, which expression shall, unless repugnant to the context or meaning thereof, include all its successors, administrators, executors and assigns), do hereby guarantee and undertake to pay to the Company (or if the Bank has accepted the assignment of the benefit of this bank guarantee to any third party pursuant to Clause 4 of this bank guarantee then to that third party) within twenty four (24) hours after receipt by the Bank of a demand complying with the requirements of this bank guarantee on first demand in writing any / all moneys to the extent of [INR/USD] _____ (in figures & words) without any demur, reservation, recourse, contest or protest and without any reference to the Bidder/Buyer. Any such demand made by Company on the Bank by serving a written notice, shall be conclusive and binding, without any proof whatsoever, as regards to the amount due and payable, notwithstanding any dispute (s) pending before any court, tribunal, arbitrator

or any other authority and / or any other matter or thing whatsoever, as Bank's liability under these presents being absolute and unequivocal. For the purposes of this Clause 2 "business day" means a day on which commercial banks are open for business in [mention city of the bank branch]. Bank hereby agree and acknowledge that this guarantee is irrevocable and continues to be enforceable until it is fully and finally discharged by Company in writing or April 30, 2021 whichever is earlier. This bank guarantee shall not be determined, discharged or affected by the liquidation, winding up, dissolution or insolvency of the Bidder/Buyer and shall remain valid, binding and operative against the Bank.

3. The Bank also agrees that Company at its option shall be entitled to enforce this bank guarantee against the Bank as a principal debtor, in the first instance, without proceeding against the Bidder/Buyer and notwithstanding any security of other guarantee that Company may have in relation to the Bidder's/Buyer's liabilities.
4. The benefit of this bank guarantee may be assigned, charged or transferred by the Company to any person, company, bank or other institution to which the benefit of the Contract is assigned in accordance with its terms only when the prior written consent of Bank is obtained (which shall not be unreasonably withheld). The Bank shall be given written notice of any such assignment in advance. However, Bank reserve the right at any time to refuse payment of or to reject documents presented bearing reference to any country, entity or individual that may be the subject of any boycott, sanction or embargo imposed by any laws, executive orders or regulations of the government and/or authorities of the [insert the country name] or other countries ("applicable restrictions"). Further, this bank guarantee may not be assigned or transferred to any person or entity that is the subject of any boycott, sanction or embargo under any applicable restrictions.
5. The Company shall have the fullest liberty without reference to the Bank and without affecting this guarantee to postpone at any time or from time to time the exercise of all or any of its powers and rights under arrangement made with the Bidder/Buyer, and the Bank shall not be released from this guarantee by any arrangement between the Company and the Bidder/Buyer or any alteration thereof made with or without the consent of the Bank or by exercise or non-exercise by the Company of all or any of its powers and rights against the Bidder/Buyer, or any other forbearance, act of omission on the part of the Company or indulgence granted by or on behalf of the Company to the Bidder/Buyer, which under the law relating to surety ship would but for this provision have the effect of releasing the Bank from their obligations under this guarantee .
6. The Bank further agrees that the bank guarantee herein contained shall remain in full force till it is validly discharged by the Company or April 30, 2021, whichever is earlier, and all dues of Company under or by virtue of this Contract have been fully paid and all its claims satisfied or discharged or till Company discharges this bank guarantee in writing, whichever is earlier.
7. The bank guarantee shall not be discharged by any change in Bank's constitution, constitution of Company or that of the Bidder/Buyer or change in appropriate laws.
8. The Bank confirms that this bank guarantee has been issued with observance of appropriate laws of India.

9. The Bank also agrees that this bank guarantee shall be governed and construed in accordance with Indian laws and subject to the exclusive jurisdiction of Delhi courts.
10. All charges, fees, commission and other costs shall be to the account of the Bidder/Buyer. Failure of the Bidder/Buyer to make such payments shall not in any way affect the bank's obligation under this bank guarantee and Company shall be paid the money due to it under this bank guarantee without any deduction.
11. Notwithstanding anything contained hereinabove:
 - (i) Bank's liability under this bank guarantee is limited to [INR/USD] _____ (in figures & words) and Bank's guarantee shall remain in force until [insert date].
 - (ii) Any claim under this bank guarantee must be received by Bank before the 60 days from the date of expiry of this bank guarantee i.e. [insert date]. If no such claim has been received by us by the said date, the right of Company under this bank guarantee will cease.
 - (iii) Any letter from the Company to the Manager of [insert full branch address] branch of the Bank, under the seal of Company shall be deemed to be sufficient and valid demand for payment under this bank guarantee.
 - (iv) The Bank undertakes not to revoke this bank guarantee before the expiry of this bank guarantee including during extension period, if any.

In witness whereof, the Bank through its authorized officer has set its hand and stamp on this [insert date] day of [insert month], [insert year] at [insert place of execution]

(Signature)

(Signature)

Full name and official address
with bank stamp
Attorney as per power of
Attorney No.....
Dated

Full name and official address
with bank stamp

WITNESS No. 1

WITNESS No. 2

Notes

- 1. To be executed as deed.

FORM C5

**Format for Declaration of aggregate gas requirement
of more than 50000 SCMD (only for end users)**

<On Bidder Company's Letterhead>

To,
Dy. Chief Marketing Officer
Vedanta Limited (Cairn Oil & Gas),
ASF Tower A, 362-363, Jwala Mill Rd,
Phase IV, Udyog Vihar,
Sector 18, Gurugram – 122016.

Subject: Declaration for total gas requirement of more than 50000 SCMD.

Dear Sir,

We _____ (the Bidder), having our registered office at _____
and plant as declared in Form C2 of the RFP, hereby declare that our total gas requirement at each of these plants
is more than 50,000 SCMD and we are not mandated to consume gas from CGD network.

For, [.....]

Authorised Signatory

Name of the Authorised Signatory:

Designation:

(Company Seal)

FORM C6

Format for Declaration for confirmation of final offtake of Gas

<On Bidder Company's Letterhead>

To,
Dy. Chief Marketing Officer
Vedanta Limited (Cairn Oil & Gas),
ASF Tower A, 362-363, Jwala Mill Rd,
Phase IV, Udyog Vihar,
Sector 18, Gurugram – 122016.

Subject: Declaration for confirming the timeframe for offtake of Gas.

Dear Sir,

We _____ (customer to specify exact legal name), having our registered office at _____ and facility/plant as declared in Form C2 / Form C3 [strike out which is not applicable] of the RFP, hereby declare that we shall start offtake of natural gas volume allocated at the end of this e-auction by the start date quoted by us during the e-auction such that under any circumstances this date shall be no later than 01st March 2022.

For, [.....]

Authorised Signatory

Name of the Authorised Signatory:

Designation:

(Company Seal)