

REF: BPL/CMM/FE/DGFT/EOI/2022-23

**EXPRESSION OF INTEREST (EOI) FOR EMPANELMENT OF
DGFT CONSULTANT**

REF NO: BPL/CMM/FE/DGFT/EOI/2022-23 DTD: 14.11.2022



LAST DATE FOR SUBMISSION

: 28.11.2022

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1. INTRODUCTION

This Expression of Interest (EOI) seeks response from interested parties for Consultancy services in Foreign Trade Policy and Customs laws. Brief scope of services is to coordinate with jurisdictional Customs House, DGFT Regional Authority (RA), Head office including various DGFT committees and to facilitate BHEL in various activities and procedures under purview of Foreign Trade Policy and Customs laws.

2. ABOUT BHEL

Bharat Heavy Electricals Limited (BHEL) is an integrated Power Plant equipment manufacturer and one of the largest engineering & manufacturing companies in India. BHEL is a public sector enterprise under Ministry of Heavy Industries, Government of India. Company has 16 manufacturing units, 2 repair units, 4 regional offices, 8 service centers, various active joint ventures, regional marketing centers and overseas office to execute and service 150+ project sites (across India & abroad). Company has global footprint with references in 84 countries.

Heavy Electrical Plant (HEP) Bhopal of BHEL is one of the oldest and biggest manufacturing units having state-of-art technology and ultra-modern manufacturing facilities. BHEL Bhopal manufactures and supplies wide range of equipment for Power plants, Transmission, Industry, Transportation (Railway), Renewable energy, Oil & Gas and Defense sectors.

3. INSTRUCTION TO INTERESTED PARTIES

3.1. Scope of interested party shall be limited to response and suggestions to this EOI only.

3.2. Scope of Work, deliverables, timelines, Terms and Conditions, Eligibility / Pre-Qualification Criteria, NDA defined in this EOI will be applicable for compliance of prospective bidders at the time of tender. However, in response to EOI, interested party may suggest improvement wherever necessary.

3.3. Interested parties may submit their offer with a Letter of Intent (LOI) along with format Annexure-I by email on or before **28.11.2022** to below mentioned recipient :

Madhurendra Manderwal, Senior Manager (CMM-FE),
2nd Floor Administrative Building, Bharat Heavy Electricals Limited
HEP Bhopal, Piplani – 462022,
Phone: 0755 2505210 , Mobile: 8349386133
Email: madhurendra@bhel.in

3.4. The details submitted by the interested party shall be complete in all respects and BHEL may seek clarifications/additional information as considered necessary. Such clarifications / additional information must be provided within 5 days of BHEL request.

3.5. The interested parties may be called for interaction, if required. Further award of work shall be through tendering process and evaluation criteria as detailed in Notice inviting tender (NIT). BHEL may adopt Quality and Cost Based Selection (QCBS) process for procurement of Consultancy services.

3.6. Any request for further information or clarification on the EOI document may be submitted to the above-mentioned official within 5 days from date of issue of EOI.

3.7. Duly authorized representative of the interested party shall sign on each page of this EOI document and send over email to above-mentioned recipient. Response to EOI should prepared in such a way as to provide a straight forward proposal for scope of work and concise description on interested Party's organization and manpower capabilities.

3.8. Notwithstanding anything contained in this EOI, BHEL reserves the right to accept or reject any proposal and to annul the EOI process in whole or part, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof.

3.9. BHEL reserves the right to verify all statements, information and documents submitted by the interested party in response to the EOI. Any such verification or lack of verification by BHEL shall not relieve the interested party of his obligations or liabilities hereunder nor will it affect any rights of BHEL.

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3.10. The EOI process shall be governed by and construed in accordance with the laws of India and the Courts at Bhopal shall have exclusive jurisdiction over all disputes arising under, pursuant to and/or in connection with the EOI process.

3.11. Interested parties should provide complete details as per Annexure-I including organization details, fulfilment of eligibility criteria (Pre-qualification requirement), financial credentials for the last three years, experience details, expected timeline, estimated rate for completion of activities covered in the scope of work with validity of budgetary rates.

4. BROAD SCOPE OF WORK

4.1. BHEL Bhopal is availing duty exemption/ remission schemes for duty free / concessional duty imports of inputs for export production like Advance Authorisation (AA), Export Promotion Capital Goods (EPCG) under FTP and Project Import Regulations, 1986 (PI) under Customs laws.

4.2. AA scheme is availed for importing inputs physically incorporated in export products for physical as well as deemed export jobs. AA are obtained mainly on basis of self-declaration or ratified norms for similar products. In case of self-declaration, license application along with supporting documents are subsequently submitted to DGFT Norms Committee for ratification of input-output quantity.

4.3. EPCG schemes are used for importing Capital goods for in-house use to enable production and manufacturing quality goods and enhancing competitiveness.

4.4. Project Import scheme is availed to facilitate setting up and expansion of Power projects wherein diverse goods imported for execution of project are classified under one Customs heading 9801 and is subject to uniform duty.

4.5. To avail concessional duty benefit in aforementioned schemes, BHEL executes a LUT bond with Customs. On completion of imports-exports and expiry of stipulated Export obligation (EO) period, BHEL is required to apply to DGFT through physical/online mode for redemption / Export Obligation Discharge Certificate (EODC) as prescribed in Foreign trade Policy (FTP), Handbook of Procedures (HBP) and Appendices & *Aayat Niryat* Forms (ANF). For PI scheme, reconciliation statement of imports along with supporting documents as per Customs circulars and public notices are submitted for Project finalization. On submission of EODC issued by DGFT and PI finalization documents, Customs close LUT bond and returns to BHEL.

4.6. Role of empaneled Consultant will include following activities :

- Facilitate BHEL in preparation and submission of EODC application for AA and EPCG authorisations.
- To liaison, coordinate and follow-up with DGFT RA offices for issuing EODC of AA and EPCG authorisations.
- Submission of EODC issued by DGFT and PI finalization documents provided by BHEL to Customs and follow-up for closure of LUT bond registered by BHEL.
- To liaison and coordinate with DGFT committees like - Norms Committee (NC), Policy Relaxation committee (PRC), EPCG committee for various pending applications of BHEL. Consultant may also require appearing in Personal Hearing, if required, on behalf of BHEL to present case.
- To furnish opinion on issues pertaining to Foreign Trade, Customs laws and other statutory provisions in related areas.

5. TERMS AND CONDITIONS

5.1. BHEL reserves the right to verify authenticity of documents submitted w.r.t eligibility criteria including experience and past performance from the customer for whom the work has been claimed to be done. The contact details of such customers has to be submitted at the time of tender bidding.

5.2. After placement of Work order, successful bidder has to submit the acceptance of order within 7 days.

5.3. Payment terms

5.3.1. Payment shall be made after completion of work and receipt of

5.3.1.1. EODC in original from DGFT office for individual AA and EPCG cases.

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5.3.1.2. Cancelled LUT bond from Customs for individual AA, EPCG and PI cases

5.3.2. BHEL will make payment within 60 days from the date of submission of invoice with complete details.

5.4. Liquidated damage

5.4.1. Liquidated damage shall be at the rate of 0.5% of the invoice value, per week of delay or part thereof subject to maximum of 10% of the total invoice value. The period of delay shall be the delay attributable to Consultant for completion of the work as per contract. LD will be applicable for work allocated regarding EODC and closure of Customs LUT bond.

5.5. Taxes and Duties

5.5.1. Taxes (GST) shall be extra and payable as per prevailing rates.

5.5.2. Bills prepared by consultant should be pre-numbered and must mention GST registration number, PAN number and GST category (as per GST Act).

5.5.3. Tax deducted at Source: TDS shall be applicable as per applicable Income tax Rule and other statutory requirement.

5.5.4. BHEL will claim input tax credit on GST. Consultant to ensure compliance of GST law and rules applicable on services involved in this tender. In the event of non-compliance by consultant, implication of the same if any shall be to account of consultant.

6. NON DISCLOSURE AGREEMENT

6.1. Interested party / bidder shall comply with non-disclosure agreement.

6.2. All the material/information sent to the consultant shall be treated as confidential and should not be disclosed in any matter to any unauthorized person under any circumstances.

6.3. Consultant shall furnish Non-disclosure Agreement (NDA) at the time of finalization of tender for award of work.

ANNEXURE- I
(FORMAT FOR EXPRESSION OF INTEREST)

ORGANIZATION DETAILS	
Name of the Organization	
Type of Organization (Pvt./Public/Partnership/LLP etc.)	
Date of Incorporation	
Address of Corporate/Head/Registered office	
Phone number of registered office	
Website	
PAN no	
GST no	
Registered on GeM (Government e Marketplace)	YES / NO --- (Furnish Seller ID if YES)
Number of consultants on regular rolls and more than three years' experience in handling DGFT work. Provide details on number of consultants, experience and qualification / certification	

CONTACT PERSON	
Name:	Designation:
Address:	Email:
Telephone:	Mobile No:

ELIGIBILITY CRITERIA OF INTERESTED PARTY (PRE-QUALIFICATION REQUIREMENT)			
S NO	CRITERIA DESCRIPTION	AGREED (Y/N)	REMARKS / DEVIATION
1	Positive Net worth for the last three years: 2018-19, 2019-20, 2020-21		
2	Experience of discharging minimum 3 Nos. of authorisations (including at least one in both Advance and EPCG category)		
3	Should not be currently black listed/ banned for business dealings by any Govt. authority / department/ agency or by any BHEL Unit/Region/Division / Office		
4	Registered office in India		

FINANCIAL CREDENTIALS OF THE INTERESTED PARTY			
FINANCIAL YEAR	ANNUAL TURNOVER (IN RS)	NET PROFIT (IN RS)	TURNOVER FROM CONSULTING (IN RS)
2021-22			
2020-21			
2019-20			

EXPERIENCE OF THE INTERESTED PARTY					
S NO	NAME OF CUSTOMER / PROJECT	NATURE & SCOPE OF WORK	CONTRACT DURATON	CONTRACT PRICE / ORDER VALUE	REMARKS
1					

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2					
3					

INDICATIVE TIMELINE FOR COMPLETION OF WORK			
S NO	DELIVERABLE	NO OF WEEKS	REMARKS / DEVIATION
1	Submission of application for EODC to DGFT from the last date of input by BHEL	1 WEEK	
2	Issue of EODC by DGFT from submission of application / reply to Deficiency letter	4 WEEKS	
3	Closure of LUT bond executed by BHEL with Customs for AA/EPCG/PI scheme	4 WEEKS	

ESTIMATED RATE FOR ACTIVITY / BUDGETARY RATES				
S NO	ACTIVITY	UOM	RATE IN RS (IN NUMBERS)	RATE IN RS (IN WORDS)
1	Facilitate and liaison for issuance of EODC for Advance Authorisation from DGFT RA office	NUMBER		
2	Facilitate and liaison for issuance of EODC for EPCG Authorisation from DGFT RA office	NUMBER		
3	Facilitate closure of LUT bond by Customs for AA & EPCG authorisations on submission of EODC and supporting documents	NUMBER		
4	Facilitate closure of LUT bond by Customs for Project Import contracts on submission of required documents	NUMBER		
5	Furnish opinion on issues related to FTP & Customs Laws	NUMBER		
6	Coordinate with DGFT Norms, PRC, EPCG and other committees including representation in personal hearing if required for various applications and appeals	NUMBER		
7	VALIDITY of estimated rates quoted, preferably for a period of One year		YES / NO (Validity period to be mentioned in case of deviation)	

- Use additional sheets wherever required and strike-off text, which is not applicable.

I hereby declare that the details furnished in response to the EOI are true and correct to the best of my knowledge and belief. In case any of the above information is found to be false, I am aware that I may be held liable for it.

Place:

Date:

Name & Signature:

Designation:

Company Seal: