



**West Bengal Mineral Development & Trading Corporation Limited  
(WBMDTCL)**

**3<sup>rd</sup> Floor, DJ - 10 (WBIIDC Building)  
DJ Block, Sector II, Salt Lake City  
Kolkata 700 091**

**Notice for Inviting Expression of Interest ( EoI) for  
Empanelment of Handling & Logistics Agent for Distribution of Non-Coking Coal of  
Indian origin to the enlisted Consumers of Micro, Small & Medium Enterprises  
(MSME) of WBMDTCL in West Bengal.**

Nodal Officer:

Chairman & Managing Director, WBMDTCL  
Contact: 033-23590073 Email id: tenderwbmdtcl@gmail.com

**Notice No.: MDTC/M-Coal/40(VIII)/2666 Dated 05.09.2022**

### Data Sheet

Sl. No.	Event Description	Timeline	Date
1.	Posting of Notice inviting EoI document on the Portal	10:00 Hrs	05.09.2022
2.	Last Date for receiving pre-bid queries by email on: tenderwbmdtcl@gmail.com	17:00 Hrs	13.09.2022
3.	Date of Pre-bid Meeting	15:00 Hrs	14.09.2022
4.	Link of Pre-bid Meeting	Join Zoom Meeting <a href="https://us06web.zoom.us/j/87170006662?pwd=UTFhd1dGaUdoVFFzYjJHMmk4a25NZz09">https://us06web.zoom.us/j/87170006662?pwd=UTFhd1dGaUdoVFFzYjJHMmk4a25NZz09</a>  Meeting ID: 871 7000 6662 Passcode: 864581	
5.	Application uploading last Date	17:00 Hrs	23.09.2022
6.	Opening of Application	18:00 Hrs	23.09.2022
7.	Announcement of Qualified Agents who shall be Empaneled	Will be intimated in due course	
8.	Applications Fees (Non-refundable)	Rs. 5900/- (Base Price- Rs.5,000/- + 18% GST)	

## **Disclaimer**

The information contained in this Notice inviting EoI or subsequently provided to the interested applicants, whether verbally or in writing or in any other form, by or on behalf of WBMDTCL, or any of its employees or advisors, is provided to interested applicants on the terms and conditions set out in this Notice inviting EoI in the form of any addendum or corrigendum or otherwise subject to which such information is provided.

This document is neither an agreement nor an offer by WBMDTCL to the interested applicants or any other person. The purpose of this Notice inviting EoI is to provide interested applicants with information that may be useful to them in making their applications pursuant to this Notice inviting EoI. This document may not be suitable or advisable for all persons, and it is not possible for WBMDTCL, its employees or advisors to consider the investment objectives, financial situation and particular needs of the interested applicants who read or use this Notice inviting EoI. The assumptions, assessments, statements and information contained in this Notice inviting EoI may not be complete, accurate, adequate or correct. Each interested applicant should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability, legality and completeness of the assumptions, assessments, statements and information contained in this Notice inviting EoI and obtain independent advice from appropriate sources.

WBMDTCL, and its employees and advisors, make no representation or warranty and shall have no liability to any person, including any interested applicant under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this Notice inviting EoI or otherwise, including the accuracy, adequacy, correctness, completeness or reliability or legality of this Notice inviting EoI and any statement or information contained herein or deemed to form part of this Notice inviting EoI or arising in any way whatsoever, for participation in the Empanelment Process.

WBMDTCL absolves any liability of any nature whatsoever whether resulting from negligence or otherwise howsoever caused arising from reliance of any interested applicants upon the statements contained in this Notice inviting EoI.

WBMDTCL may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this Notice inviting EoI.

The issue of this Notice inviting EoI does not imply that WBMDTCL is bound to select any number of interested applicants for empanelment as per the terms and conditions of this Notice inviting EoI. WBMDTCL reserves the right to reject all or any of the applications of the applicants without assigning any reason whatsoever.

Each applicant shall bear all its costs associated with or relating to the preparation and submission of its application including but not limited to preparation, copying, postage, delivery fees, document fees, expenses associated with any demonstrations or presentations which may be required by WBMDTCL or any other costs incurred in connection with or relating to its application, submission, or selection. All such costs and expenses shall be exclusively borne by the applicants.

## Table of Contents

<b>Sl. No.</b>	<b>Contents</b>	<b>Pages</b>
1.	Chapter 1- Introduction and Scope of Work	5-7
2.	Chapter 2- Eligibility Criteria and Evaluation of Applicants	8-10
3.	Chapter 3- Instructions to Applicants	11-17
4.	Annexure 1- Documents to be enclosed along with the Application	18
5.	Annexure 2- Application Letter	19-20
6.	Annexure 3- Details of the Applicant	21
7.	Annexure 4- Fulfilment of Eligibility Criteria	22-23
8.	Annexure 5- Declaration against Blacklisting	24
9.	Annexure 6- Authorization Letter	25
10.	Annexure 7- Format for Power of Attorney for Authorized signatory	26-27
11.	Annexure 8- Format for Queries	28
12.	Annexure 9- Manner and Checklist of Uploading Application	29-31

## Chapter1

### 1.1 Introduction and Scope of Work

- 1.11 The West Bengal Mineral Development & Trading Corporation (“WBMDTCL”), a fully owned undertaking of the Government of West Bengal (“GoWB”) is incorporated as a company under the Companies Act, 1956 on 23 February, 1973 under the direct administrative control of Department of Industry, Commerce & Enterprises (ICE Department). ICE Department, GoWB nominated WBMDTCL as the State Nominated Agency (SNA) for distribution of Eastern Coalfields Ltd (ECL) coal to the MSME consumers whose annual consumption is up to 10,000 M.T per annum and having no Fuel Supply Agreement (FSA) with ECL or CIL under NCDP in the State of West Bengal. WBMDTCL has carried out the distribution process from 2013 to till date and catering to almost 13 Districts in the State of West Bengal. WBMDTCL has duly entered into Fuel Supply Agreement FSA with ECL, a subsidiary of Coal India Limited (CIL) for distribution of coal. WBMDTCL gets allocation of coal from Eastern Coalfields Ltd on monthly basis and the same was distributed to MSME consumers on pro-rata basis. Till now, after the final allocation of coal, the consumer arranges the lifting and transporting of coal from the allotted collieries to his unit location by his own means.
- 1.12 Now, WBMDTCL intends streamline the entire distribution channel and invites EoI for Empanelment of Handling & Logistics Agent for Distribution of Non-Coking Coal of Indian origin to the enlisted Consumers of Micro, Small & Medium Enterprises (MSME) of WBMDTCL in West Bengal. The agent is to cater all the specific MSME consumers by providing Handling, Logistics, Transportation, Loading of Coal and Delivery to the specific unit location of the consumer. The consumer can select the agent of his choice from the empaneled agents on mutually agreed payment terms and conditions.
- 1.13 The interested applicants, who fulfil the eligibility criteria as specified hereinafter can submit their applications on the Portal [www.wbtenders.gov.in](http://www.wbtenders.gov.in) for the services set out in the Scope of Work. The interested applicants shall register themselves with the Portal using valid Digital Signature Certificate. The interested applicants can participate in the Empanelment Process only after payment of non-refundable application fee as mentioned in the Data Sheet.
- 1.14 Any further communications, corrigendum, addendum, etc. shall only be available on the above Portal and there will be no newspaper notification/advertisement in this regard. Hence, all interested participants are requested to monitor this website closely.
- 1.15 The Nodal Officer for Empanelment Process shall be: Chairman &, Managing Director WBMDTCL, Contact: 033-23590073 , Email id: [tenderwbmdtcl@gmail.com](mailto:tenderwbmdtcl@gmail.com)
- 1.16 WBMDTCL reserves the right to (i) reject any or all applications without assigning any reason whatsoever; (ii) reschedule the application date(s) due to any unforeseen circumstances at any stage of the Empanelment Process; (iii) cancel the Empanelment Process, without assigning any reason for the same.

## 1.2 Term of Empanelment:

The empanelment shall be valid for 2 (two) years from the date of empanelment. After the expiry of 2 (two) years, the renewal of empanelment shall be at the sole discretion of WBMDTCL. It may also be noted that WBMDTCL shall be entitled to empanel more than one agent and to empanel any other agent during the said period of 2 (two) years subject to such agent fulfilling the eligibility criteria set out in this Notice inviting EoI.

## 1.3 Scope of Work of the empanelled agent:

1. The agent shall be responsible for entire handling and logistic operations namely collect the lifting order from consumer, allot the vehicle for the trip, load the coal from allotted colliery, transport the coal and unload the coal at the specific MSME unit of the consumer.
2. Co-ordination with ECL Area Offices, MSME Consumers, WBMDTCL Branch and Head Office for ensuring smooth and continuous operations as per advice of WBMDTCL.
3. Agent shall ensure the loading of Proper quantity and quality coal matching with grades booked by the consumers and declared by ECL free from shale / stone, big size boulders and other foreign ingredients.
4. Agent shall oversee the sample collection, sample preparation from gross sample at loading points of ECL as an authorized representative of WBMDTCL for Third Party sampling.
5. The agent shall deploy the requisite number of transport vehicles at the ECL collieries to fulfil the required rate of daily lifting.
6. The agent shall endeavour to transport 100% of the Delivery Order (DO) quantity of the consumers from the colliery to the end use units within the validity period of the Delivery Order.
7. Arrangement of sufficient number of manpower for supervision to ensure entire operation is conducted regularly and smoothly.
8. Agent shall collect the Coal invoices and other documents issued by ECL Authorities and forward the same to WBMDTCL's office at Kolkata as per the instruction of WBMDTCL.
9. Coal shall be transported from the colliery only to the specific unit of the consumer as directed by WBMDTCL. Under no circumstances the coal shall be transported to any intermediate or other location for any other purpose
10. Service provider shall ensure reconciliation with the WBMDTCL authorities for coal transferred to the end use plants of the consumers as well as for coal delivered under own respective FSA and submit the monthly reconciliation statement to WBMDTCL within 10 days of the next preceding month.
11. Agent shall also follow up with the respective MSME consumers for obtaining payment/ refund / adjustment against amounts due from them for various reasons from time to time as per their mutually agreed terms and conditions.
12. All payments for handling and logistic operation works shall be settled between the MSME consumers and the Handling & Logistic agent as per mutual agreed rate. WBMDTCL shall not intervene in this matter.
13. The agent is solely responsible for any and all kinds of direct or indirect losses / claims to any 3rd party due to any reasons whatsoever and will obtain suitable insurance in this regard.
14. The agent shall follow all the instructions and guidelines issued by WBMDTCL and CIL/ECL from time to time for orderly operation.
15. The agent shall implement and follow all IT interventions as directed by WBMDTCL from time to time including uploading of GPS tagged photographs, generation of QR coded E-challans , e-tracking of vehicles etc. .

16. The Scope of Work given here is indicative in nature and the same shall be further elaborated in the bid documents at the time of final selection of the agent for a specific job. All the aforesaid works in the Scope of Work shall have to be carried out by the Agent(s) at their own cost.
17. No payment shall be made by WBMDTCL to the empanelled agent for any works undertaken under the scope of work.
18. To adhere and abide to all the prevailing rules, acts and regulations and not undertake any act in violation of any government/statutory provisions

#### **1.4 Role of WBMDTCL:**

1. WBMDTCL shall take all necessary steps as SNA to fulfil its obligations.
2. To monitor and supervise the empanelled agent responsible for Handling and Logistic.
3. Establishing and maintaining an online system to monitor the distribution process to prevent any leakages.
4. Issuing directions from time to time for ensuring proper operation, maintenance and security of the distribution process including directions on e-tracking system in the vehicles, on time delivery of coal to the end use units.
5. Nothing contained herein in this clause shall be interpreted or construed as waiver of any of the conditions as given in *Eligibility Criteria* neither shall it in any way absolve the Agent in fulfillment of its responsibilities as specified *Scope of Work*.

#### **1.5 Change in Scope of Work**

1. It is hereby clarified that the indicative Scope of Work is for the purpose empanelment only. At the time of issuance of bid documents for selection Handling & Logistics agent, WBMDTCL may at its sole discretion modify, alter, reduce or extend the Scope of Work.



## Chapter 2

### Eligibility Criteria and Evaluation of Applicants

#### 2.1 Eligibility Criteria:

The following eligibility conditions shall apply.

1. Bidder shall be either an individual, proprietorship, partnership or a company registered in India.
2. The Bidder shall have valid GST Registration.
3. The Bidder shall have valid document as incorporation of the Organisation.
4. The Bidder shall have a valid PAN Card.
5. The Bidder shall have an account with a scheduled commercial bank.
6. Bidder shall have a Solvency Certificate from its bank for at least Rs.50 Lakh (Rupees Fifty Lakh Only).
7. Bidders shall have average Annual Turnover (Gross Revenue) of Rs 10(Ten) Crore in last 5 (five) Financial Years.
8. Bidder should have the experience of supplying at least 1 (one) lakh MT of indigenous coal by road transport in any of the last five financial years OR should have the experience of supplying goods of value atleast Rs. 50 crores by road transport in any of the last five financial years.
9. Bidder shall have the ownership of at least 50 vehicles (trucks above 10 wheelers) in his name
10. Bidder shall submit an interest free security deposit of Rs. 50 lakh to WBMDTCL which shall be refunded at the end of period of empanelment subject to Clause 3.27.

**2.2 Documents to be submitted with the offer in support of Eligibility:** The following documents should be submitted online along with the offer failing which the bidder shall be disqualified and his offer shall be rejected.

1. Copy of valid Trade License/Partnership Registration/ Certificate of Incorporation.
2. Copy of GST Registration Certificate with a copy of the last GST return submitted.
3. Copy of the PAN Card.
4. A Solvency Certificate from the Bank for at least Rs 50 (fifty) Lakh in favour of the Bidder also stating the details of the account the Bidder is having with the Bank.
5. Copies of Audited Profit & Loss Account for last 5 (five) financial years (format as per Annexure-4).
6. Copies of experience clearly evidencing that the Bidder has supplied requisite number of surface transports of coal (as per Annexure-4) as stated above along with copies of corresponding supply orders.

7. Certificate of declaration of possessing 50 vehicles (trucks above 10 wheelers) with valid documents of ownership (as per Annexure-4).

The Bidder shall submit Scanned, self-certified and digitally signed copies of the above documents and shall be uploaded online along with the offer. WBMDTCL reserves the right to call for the original of any or all the document(s) and the bidder shall be required to produce the same.

Documents submitted by bidders shall be scrutinized by WBMDTCL officials and their decision regarding the qualification of bidders based on the documents submitted by them shall be final and binding on the bidders.

### **2.3 Submission of offer:**

The offer should be submitted online only at <https://www.wbtenders.gov.in> with in the last date specified in the data sheet.

### **2.4 Opening of Submitted Application:**

1. The application shall be opened in the Portal as per the timelines mentioned in data sheet.
2. During the opening of the application, preliminary scrutiny of the documents submitted in support of the application shall be carried out to determine: (i) whether the applications and documents supporting thereto are complete; and (ii) whether the applications are otherwise generally in order.
3. Applications not conforming to such preliminary scrutiny shall be rejected.

### **2.5 Evaluation of Submitted Application:**

The Empanelment Evaluation Committee (“EEC”) of WBMDTCL shall evaluate the application as per the following process:

1. EEC shall evaluate and compare the applications that have been determined to be substantially responsive.
2. The EEC shall review the application on the basis the Eligibility Criteria. To assist in the examination, and evaluation of the applications and qualification of the applicants, EEC may, at its discretion, ask any applicant for a clarification of its application from any or all applicants, in connection with their application, on any of the points mentioned therein, and the same may be sent through e-mail address provided by the applicant in its application.

### **2.6 Empanelment:**

1. Any applicant, who is meeting all the eligibility criteria specified in this Notice inviting EoI, shall be eligible to be empanelled as an agent.
2. The eligible agent shall be issued an LOI and designated as successful agent
3. The successful agent shall accept the LOI in writing within 14 days from the date of issuance of LOI .
4. The successful agent shall deposit the interest free security deposit within 14 days from the date of acceptance of LOI
5. After successful submission of the security deposit , the empanelment certificate shall be issued to the successful agent .
6. WBMDTCL at its sole discretion shall take a reasoned decision for extension/cancellation of LOI on a case to case basis in case of non adherence to the timelines stated above .

## Chapter 3

### Instructions to Applicants

#### 3. General Terms and Conditions:

##### 3.11 Compliance with Applicable Laws:

The applicants shall in addition to the terms and conditions of this Notice inviting EoI, have to comply with all applicable laws in India, including acts, ordinances, rules, regulations, bye laws or notifications, orders, circulars, practices and procedures of the Government of India and GoWB in connection with public tenders generally or the proposed Scope of Work, specifically.

##### 3.12 Accuracy of Information:

During evaluation of the applications, if any information submitted by any applicant including the empaneled Agent is found to be incorrect, misleading, manufactured or fabricated, the application of such applicants(s) will be rejected and if such applicant has already been empaneled then such empanelment shall be cancelled, after giving an opportunity of hearing to the empaneled Agent, without prejudice to any other rights of WBMDTCL.

##### 3.13 Authorized Representative of the Applicant:

Where an individual as a director/ principal officer/ partner/ designated partner, uploads any application for and on behalf of the applicant, such person shall, upload a copy of the power of attorney (the format of which has been prescribed in **Annexure 7**) and authorization letter (the format of which has been prescribed in **Annexure 6**) authorizing him to act on behalf of the applicant for the purpose of this Empanelment Process. It has to be noted that power of attorney (“**PoA**”) in favour of the authorized signatory for signing the application should be supported by the board resolution, in case of a company or approval by the partner/ designated partner (holding majority equity) in case of partnership/ LLP empowering the signatory of PoA for signing such kind of PoA. It may be noted that for proprietorship firm, the proprietor thereof has to sign and upload the application himself/ herself.

##### 3.14 Construction of Notice inviting EoI:

The statements and explanations contained in this Notice inviting EoI and any addenda or corrigenda thereto are intended to provide a better understanding to the applicants about the Notice inviting EoI and should not be construed or interpreted as limiting in any way or manner the Scope of Work and obligations of the empaneled Agent or WBMDTCL’s rightsto amend, alter, change, supplement or clarify the Scope of Work. Consequently, any omissions, conflicts or contradictions in the Notice inviting EoI are to be noted, interpreted

and applied appropriately to give effect to this intent, and no claims on that account shall be considered by WBMDTCL.

**3.15 Corrupt Practices:**

WBMDTCL requires applicants to observe the highest standard of ethics during the Empanelment Process. WBMDTCL may, if it determines that an applicant has, directly or through an agent, affiliate or associate engaged in corrupt, fraudulent, coercive or restrictive practices in competing for empanelment with WBMDTCL in terms of this Notice inviting EoI, take any or all of the following actions:

1. Reject the applicant's application.
2. Declare the applicant indefinitely or for a specific period of time, ineligible to participate in any empanelment /bidding process of WBMDTCL.
3. Cancel the empanelment, if already empaneled.

**3.16 Blacklisting:**

In order to be eligible for the empanelment, the applicant shall not be barred or blacklisted from participating in any assignment or project pertaining to mining related work or shall not have any pending disputes with the WBMDTCL and/ or any department of GoWB, Central Government, public sector undertakings, agencies, organizations in connection with any transporting related work, which continues as on the date of submission of its application.

**3.17 Anti-Collusion:**

1. WBMDTCL reserves the right at its discretion to report suspected collusive or anti-competitive conduct by applicants to the appropriate regulatory authority and to provide the authority with all relevant information in relation to the same.
2. The applicant represents and warrants that the application has been prepared and submitted without any consultation, communication, contract, arrangement or understanding with any of its competitor.

**3.18 Conflict of Interest:**

WBMDTCL considers a conflict of interest to be a situation in which a party has an interest that could improperly influence that party's performance of official duties or responsibilities, contractual obligations, or compliance with applicable laws, and that such conflict of interest may contribute to or constitute a prohibited practice by WBMDTCL which requires that applicants, bidders, suppliers, contractors, and agents under contracts with WBMDTCL, observe the highest standard of ethics and will take appropriate actions if it determines that a conflict of interest has flawed the integrity of the Empanelment Process. Consequently, all

applicants found to have a conflict of interest shall be disqualified. An applicant may be considered to have a conflict of interest with one or more parties in this Empanelment Process, including but not limited to:

1. They have promoters/controlling shareholders/partners/designated partners/management in common.
2. They receive or have received any direct or indirect subsidy or financial grant or financial assistance from any of them.
3. They have the same legal representative for purposes of this Empanelment Process.
4. They have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the application of another applicant, or influence the decisions of WBMDTCL regarding this Empanelment Process.

**3.19 Amendment of this Notice inviting EoI:**

1. At any time prior to the due date, WBMDTCL may, for any reason, whether at its own initiative or in response to clarifications requested by an applicant, modify this Notice inviting EoI by the issuance of addenda/corrigenda.
2. Any addendum/corrigendum issued hereunder shall be posted on the Portal. No newspaper advertisement shall be issued in this regard.
3. In order to afford the applicants a reasonable time for taking an addendum/corrigendum into account, or for any other reason, WBMDTCL may, in its sole discretion, extend the due date, if required.
4. WBMDTCL also reserves the right to modify or alter the Notice inviting EoI and also to withdraw or cancel the Empanelment Process, at any stage.

**3.20 Preparation of Application:**

1. The application and all related correspondence and documents in relation to the Empanelment Process shall be in English language.
2. The application submission shall necessarily contain a table of contents along with page numbers.
3. The application submissions shall be typed. The application submissions written in pencil will not be valid. All the pages should be initialled by the authorized representative of the respondents who is signing the application.
4. The application and accompanying information shall be complete and strictly as per the requirements in this Notice inviting EoI.
5. Erasing and overwriting shall be avoided in the application. If any corrections are to be made, the part to be corrected shall be neatly written duly attesting the correction by the person(s) signing the application.
6. The power of attorney authoring the signatory shall be uploaded along with the accompanying documents. WBMDTCL may reject, outright any application unsupported by the adequate

proof of the signatory's authority as well as due to lack of supporting documents. The decision of WBMDTCL in this connection is final and binding on the applicant.

### 3.21 Cost of Submission of Application:

Each applicant shall bear all its costs associated with or relating to the preparation and submission of its application including but not limited to preparation, copying, postage, delivery fees, document fees, expenses associated with any demonstrations or presentations which may be required by WBMDTCL or any other costs incurred in connection with or relating to its application, submission, or selection. All such costs and expenses shall be exclusively borne by the applicants, regardless of the conduct or outcome of the process of evaluation of application

### 3.22 Process of Submission of Application:

1. The applicants are responsible for registration on the Portal at their own cost. The applicants are advised to thoroughly go through all the e-procurement guidelines and instructions, as provided on the Portal and accordingly submit the application. WBMDTCL shall not be liable for the failure of any applicant to comply with guidelines and instructions provided on the Portal.
2. Applicant shall provide a scanned copy (in PDF format) of the application digitally signed, as per the format provided in this Notice inviting EoI document in **Annexure 2** should be uploaded on the Portal in the allocated folders as specified.
3. Following are certain key considerations to be kept in mind by the applicant while submitting the application:
  - a. Applications that are incomplete or not in prescribed format or conditional in nature shall be rejected.
  - b. If any clarification is required, the same should be obtained before submission of the application.
  - c. No physical submission of applications shall be acceptable.
4. The applicants shall submit their applications including eligibility and qualification details, in the formats as prescribed in the Portal. The applicants shall also upload the scanned copies of all the relevant certificates, documents, etc., which shall include the following:
  - a. Audited financial statements, annual reports (if applicable) and income tax returns for the last 5 financial years (financial years 2017-2018, 2018-2019, 2019-2020, 2020-2021 and 2021-2022)
  - b. All documents pertaining to Eligibility Criteria as mentioned under Chapter 2 (*Eligibility*)

*Criteria and Evaluation of Applicants).*

- c. Annexure 1- Documents to be enclosed along with the Application
- d. Annexure 2- Application Letter
- e. Annexure 3- Details of the Applicant.
- f. Annexure 4- Fulfilment of Eligibility Criteria
- g. Annexure 5- Declaration against Blacklisting
- h. Annexure 6- Authorization Letter
- i. Annexure 7- Power of Attorney
- j. Annexure 8- Format of Queries, if applicable
- k. Annexure 9- Manner and Checklist of Uploading Application

**5. Digital Signature Certificate Authentication:** The applicant shall authenticate the application with its Digital Signature Certificate for submitting the application electronically on the Portal and the applications not authenticated by Digital Signature Certificate of the applicant shall be rejected.

**3.23 Late Applications:**

- a. Applications received after due date will be outright rejected. Applicants are advised in their own interest to ensure that their applications are submitted and documents are uploaded on the Portal well before the closing date and time of the Empanelment Process.
- b. WBMDTCL at its sole discretion may extend the deadline for submission of application by issuing a corrigendum on the Portal in which case all rights and obligations of WBMDTCL and applicants previously subject to the original due date shall thereafter be subject to new due-dates, as extended.

**3.24 Period of Validity of Applications:**

Application shall be valid for a period of 6 (six) months from last date of submission of the application. An application which is valid for a shorter period than 6 (six) months may be rejected by WBMDTCL as non-responsive. WBMDTCL will make its best effort to complete the Empanelment Process within the validity period. In case of need, WBMDTCL may request the applicants to extend the validity period of their applications. Applicants who do not agree, shall have the right to refuse to extend the validity of their application and under such circumstances, WBMDTCL shall not consider such proposal for further evaluation.

**3.25 Withdrawal of Applications:**

No application shall be withdrawn in the interval between the submission of application and expiry of validity period

**3.26 WBMDTCL's right to accept/reject applications:**



WBMDTCL reserves the right to accept or reject any application and to annul the entire Empanelment Process and reject all applications at any time prior to empanelment of the Agent without incurring any liability, or any obligation to inform the affected applicants of the grounds of its action.

### **3.27 Cancellation of Empanelment , forfeiture of security deposit and blacklisting :**

1. Cancellation : If the performance of the Agent selected for carrying out mining operations in a particular block/group of blocks, is found unsatisfactory *inter alia vis-a-vis* the Scope of Work mentioned herein or the contract entered into between the said Agent and WBMDTCL with respect to the said block/group of blocks, or it fails to meet or comply with the terms of the empanelment and/or any guidelines or directions issued by WBMDTCL and/or other statutory bodies, from time to time, WBMDTCL reserves the right to cancel the empanelment after giving an opportunity of hearing.
2. Forfeiture of Security Deposit : WBMDTCL reserves the right to forfeit the security deposit on a case to case basis subject to a maximum amount of Rs.50 lakh and return the balance amount if any to the agent . This shall be at the sole discretion of WBMDTCL on a case to case basis after providing a reasonable opportunity of hearing to the agent
3. Blacklisting : WBMDTCL reserves the blacklist any agent in case of violations of laws or non fulfilment of scope of work .This shall be at the sole discretion of WBMDTCL on a case to case basis after providing a reasonable opportunity of hearing to the agent

### **3.28 Document Fee:**

Applicants are required to remit non-refundable document fee of **INR 5900 (Indian Rupees Five Thousand Nine Hundred only) (INR 5000 + 18% GST)** in favor of “The West Bengal Mineral Development Corporation Ltd.” through the Portal.

### **3.29 Clarifications/Queries:**

1. The applicants may seek clarifications or request further information regarding this Notice inviting EoI only in the format provided in **Annexure 8**.
2. Any queries or requests for additional information concerning this Notice inviting EoI may be sent in excel format by e-mail to WBMDTCL at [tenderwbmdtcl@gmail.com](mailto:tenderwbmdtcl@gmail.com).
3. The email should clearly bear the following subject line: “Queries/Request for Additional Information under Empanelment Notice no. MDTC/M-Coal/40(VIII)/2666. for “Empanelment of Handling & Logistics Agent for Distribution of Non-Coking Coal of Indian origin to the enlisted Consumers of Micro, Small & Medium Enterprises (MSME) of WBMDTCL in West Bengal”.

4. Each query should contain complete details of facts, information and applicable law relevant to the query and also the particulars of the person posing the query. WBMDTCL reserves the right to not answer any query, including any query which is incomplete or anonymous.
5. WBMDTCL shall endeavour to respond to the queries. However, WBMDTCL reserves the right to not respond to any question or provide any clarification, in its sole discretion, and nothing in this Notice inviting EoI shall be taken or read as compelling or requiring WBMDTCL to respond to any question or to provide any clarification.
6. WBMDTCL shall upload the responses/ clarifications for queries on the Portal, if required. The source of the query will not be mentioned. WBMDTCL may also on its own, if deemed necessary, issue interpretations and clarifications to all applicants. All clarifications and interpretations issued by WBMDTCL shall be deemed to be part of the Notice inviting EoI. Provided, however, that any non-written clarifications and information provided by WBMDTCL, its employees, consultants or representatives in any manner whatsoever shall not in any way or manner be binding on WBMDTCL.

## Annexure 1

### Documents to be enclosed along with the Application

*[On the letter head of the Applicant]*

Date:

Sl. No.	Particulars	Declaration (Yes/No)
1.	Document Fee for the value as indicated in Notice inviting EoI	
2.	Formats enclosed-dully filled in and signed on each page along with all required enclosures, complete as per Chapter 3 of the Notice inviting EoI ( <i>Instructions to Applicants</i> )	
	Annexure 1- Documents to be enclosed along with the Application	
	Annexure 2 – Application Letter	
	Annexure 3 – Details of the Applicant	
	Annexure 4 - Fulfillment of the Eligibility Criteria	
	Annexure 5- Declaration against Blacklisting	
	Annexure 6 - Authorization Letter	
	Annexure7 - Power of Attorney	
	Annexure 8- Format for Queries	
	Annexure 9- Manner and Checklist of Uploading Application	
3.	Application duly signed by the Applicant on each page	

**Signature of Applicant with date and stamp:**

## Annexure 2

### Application Letter

*[On the letter head of the Applicant]*

Date:

To,

West Bengal Mineral Development & Trading Corporation Limited  
3<sup>rd</sup> Floor, DJ - 10 (WBIIDC Building)  
DJ Block, Sector II, Salt Lake City  
Kolkata 700 091

Sub: Application for Empanelment with respect to notice No: [•] dated [•].

Dear Sir,

With reference to notice No: [•] dated [•], I, having examined the Notice inviting EoI and understood its contents, hereby submit my application for empanelment as an Agent for Handling and Transportation of ECL coal to the MSME consumers. Capitalized expressions used in this letter shall have the same meaning as ascribed thereto in the Notice inviting EoI.

1. The application is unconditional and unqualified.
2. We have reviewed the terms of the Notice inviting EoI and hereby unconditionally and irrevocably accept, agree and acknowledge the terms thereof.
3. We acknowledge that WBMDTCL will be relying on the information provided in the application and the documents accompanying the application for selection of the empaneled Agent. We certify that all information provided therein is true and correct; nothing has been omitted which renders such information misleading; and all documents accompanying the Application are true copies of their respective originals.
4. This statement is made for the express purpose of our participation in the Empanelment Process and possible empanelment as an Agent.
5. We hereby confirm that we satisfy all the eligibility criteria prescribed in the Notice inviting EoI.
6. We hereby acknowledge that if we submit or produce any document and it is discovered subsequently at any point of time that such document was false or incorrect then we shall be liable under all applicable laws including cancellation of empanelment , forfeiture of security deposit and blacklisting as per clause 3.27 ,.
7. We shall make available to WBMDTCL any additional information it may find necessary or require to supplement or to authenticate the application.
8. We acknowledge the right of WBMDTCL to reject our application without assigning any reason or otherwise and hereby waive, to the fullest extent permitted by applicable law, our right to challenge the same on any account whatsoever.
9. We declare that:

- a. We have examined the Notice inviting EoI and have no reservations thereto, including any amendments issued by WBMDTCL *vide* corrigendum/addendums from time to time.
  - b. We have not directly or indirectly or through an agent engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice, as defined in the Notice inviting EoI, in respect of any tender or empanelment or request for proposal issued by or any agreement entered into with GoWB or any other public sector enterprise or any Government, Central or State.
  - c. We are not in conflict of interest as per Chapter 3 (*Instructions to Applicants*).
  - d. We have taken steps to ensure that no person acting for us or on our behalf has engaged or will engage in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice.
  - e. We are not in violation of any applicable laws.
  - f. We have cleared all our statutory dues including GST and EPF as on date of this application.
10. We understand that you may cancel this process at any time and that you are neither bound to accept any application that you may receive nor to invite the applicants to submit their applications, without incurring any liability to the applicants, in accordance with the Notice inviting EoI.
11. We hereby irrevocably waive any right or remedy which we may have at any stage under applicable laws or howsoever otherwise arising to challenge or question any decision taken by the GoWB/ WBMDTCL in connection with the selection of the empaneled Agents, or in connection with the Empanelment Process itself, in respect of the Notice inviting EoI and the terms and implementation thereof.

In witness thereof, we submit this letter forming part of our application under and in accordance with the terms of the Notice inviting EoI.

Yours faithfully,

(Signature, Name and Designation of Authorized Signatory)

Name and Seal of the Applicant

Date:

Place:

### Annexure 3

#### Details of the Applicant

*[On the letter head of the Applicant]*

Date:

Name of the Applicant	
Address of Registered Office / Place of Business	
Address for Correspondence	
Telephone No./Mobile No.	
E-mail Address	
Attested copies of Trade License/ Partnership Deeds/ LLP Agreement/ Memorandum of Association and Articles of Association to be enclosed	
Name of Person holding Power of Attorney (Attested copy of the Power of Attorney to be enclosed)	
Names of Partners with their Present and Permanent Address	
Name of Proprietor with his/ her Present and Permanent Address	
PAN of the Applicant (Copy to be Enclosed)	
TAN of the Applicant (Copy to be Enclosed)	
PF Registration No. (Copy to be Enclosed)	
GST Registration No. (Copy to be Enclosed)	

Signature of Applicant with Date and Stamp:

## Annexure 4

### Fulfilment of Eligibility Criteria

*[On the letter head of the Statutory Auditor/CA duly attested with UDIN No.]*

Date:

#### Part 1: Details of the Applicant:

Name of the Applicant	
Legal status of the Applicant:  (Individual or Proprietary Firm or Partnership Firm or Limited Liability Partnership or Company)	
Date of Incorporation/Registration (if applicable)	
GSTIN	
PAN	
TAN	

#### Part 2: Works Executed

Full postal address of the client and description of the work	Value of contract in INR	Quantity transported	Scheduled completion as per contract	Date of commencement	Date of Completion	Reason for delay, if any

**Part 3: Financials (In INR)**

<b>Item</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-2020</b>	<b>2020-2021</b>	<b>2021-2022</b>
Total Income/Turnover					
Profit before Depreciation					
Profit before Tax					
Profit after Tax					
Net Worth					
Cash accrual (i.e. Profit after Tax + depreciation + other non-cash expenses)					

**Part 4: Declaration against Details of the Vehicles**

<b>Particulars</b>	<b>Vehicles of 10 wheels</b>	<b>Vehicles of 12 wheels</b>	<b>Vehicles of 14 wheels</b>	<b>Vehicles of 16 wheels</b>
Date of Registration				
Gross Laden weight				

**Note:**

- 1. Subsequent columns to be added for different wheels category if required.**
- 2. WBMDTCL reserves all rights to ask for the original documents of the vehicles at any moment of time between the empanelment processes or tenure of the Contract.**

Signature of Statutory Auditor/CA with Stamp, UDIN No. and Date



**Annexure 5**

**Declaration against Blacklisting**

*[On the letter head of the Applicant]*

Date:

To,  
West Bengal Mineral Development & Trading Corporation Limited  
3<sup>rd</sup> Floor, DJ - 10 (WBIIDC Building)  
DJ Block, Sector II, Salt Lake City  
Kolkata 700 091

Dear Sir,

I/we here by solemnly declare that the proprietor / none of our directors or partners or designated partners or promoters, jointly or severally and/or individually or our proprietary firm / partnership firm / company / LLP is not presently black listed by the Central Government or any State Government Department / public sector undertakings / agency / organization in India. We do not have any order/declaration of insolvency, judgment or order of punishment/sentence by any court of law or any judicial/quasi-judicial body restraining us from participating in this Empanelment Process.

I/we hereby further declare that, if the declaration is found untrue at any time, WBMDTCL shall be entitled to take any action against us severally and/or individually or our proprietary firm/partnership firm/company/LLP in this regard in any manner that may be deemed fit by WBMDTCL.

Yours Faithfully,

.....  
Signature and Stamp of the Applicant

**Annexure 6**

**Authorization Letter**

(To be submitted at the time of opening of the application)

*[On the letter head of the Applicant]*

Date:

No. [●]

To,  
West Bengal Mineral Development & Trading Corporation Limited  
3<sup>rd</sup> Floor, DJ - 10 (WBIIDC Building)  
DJ Block, Sector II, Salt Lake City  
Kolkata 700 091

**Sub:** Application for Empanelment with respect to notice No. [●] dated [●]

Sir,

Shri. .... has been authorized to be present at the time of opening of the above-mentioned application for empanelment due at [●] on [●] at the registered office of WBMDTCL on my/our behalf.

Yours faithfully,

(Signature of the Applicant with Seal/ Stamp)

**Copy to:** Shri..... for information and production before the application opening officers at the time of declaration of the empanelment.

**Annexure 7**

**Format for Power of Attorney for Authorized signatory**

*[On the Non-Judicial Stamp Paper of appropriate value and to be notarized]*

Date:

Know all men by these presents, We \_\_\_\_\_ (name of the firm and address of the registered office) do hereby irrevocably constitute, nominate, appoint and authorize Mr/ Ms. \_\_, son/daughter/wife of \_\_\_\_\_ and presently residing at \_\_\_\_\_, holding the position of \_\_\_\_\_, as our true and lawful attorney (hereinafter referred to as the “Attorney”) to do in our name and on our behalf, all such acts, deeds and things as are necessary or required in connection with or incidental to submission of our application for West Bengal Mineral Development Corporation Limited (WBMDTCL) in connection with Empanelment No. \_\_\_\_\_ dated \_\_\_\_\_, including but not limited to signing and submission of all applications, and other documents, to participate in pre-application meetings and other conferences and providing information/ responses to WBMDTCL, representing us in all matters before WBMDTCL, signing and execution of all agreements and undertakings consequent to acceptance of our application, and generally dealing with WBMDTCL in all matters in connection with or relating to or arising out of our application for the said Empanelment with WBMDTCL.

AND we hereby agree to ratify and confirm all acts, deeds and things lawfully done or caused to be done by our said Attorney pursuant to and in exercise of the powers conferred by this Power of Attorney and that all acts, deeds and things done by our said Attorney in exercise of the powers hereby conferred shall and shall always be deemed to have been done by us.

AND that a resolution to this effect was passed during the meeting of the Board of Directors of the company held on [•] at [•].

OR

AND that a resolution to this effect was passed by the partners during the meeting held on [•] at [•].

IN WITNESS WHEREOF WE, \_\_\_\_\_, T H E A B O V E N A M E D P R I N C I P A L  
HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

For

\_\_\_\_\_  
Name:

Title:

Address:

(Accepted)

(Name, Title, Address of the Attorney)

WITNESS:

- 1.
- 2.

***[NOTE: It has to be noted this PoA in favour of the authorized signatory for signing the application should be supported by the board resolution, in case of a company or approval by the partner/ designated partner (holding majority equity) in case of partnership/ LLP empowering the signatory of PoA for signing such kind of PoA.]***

## Annexure 8

### Format for Queries

<b>Sl. No.</b>	<b>Clause Ref No. &amp; Page No.</b>	<b>Existing Provision</b>	<b>Clarification Required</b>	<b>Suggested Text for Amendment if any</b>	<b>Rationale for Clarification or Amendment</b>
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

## Annexure 9

### Manner and Checklist of Uploading Application

Name of Folder	Document to be Uploaded	Check Box
<b>Main Notice inviting EoI Documents</b>	1. Copy of GST Registration Certificate	<input type="checkbox"/>
	2. Copy of PAN	<input type="checkbox"/>
	3. Copy of TAN	<input type="checkbox"/>
	4. Copy of EPF Registration	<input type="checkbox"/>
	5. Certificate of Incorporation and Certificate of Commencement of Business or Registration Certificate and/ or Trade License, as may be applicable	<input type="checkbox"/>
	6. Memorandum of Association and Articles of Association or LLP Agreement or Partnership Deed, as may be applicable	<input type="checkbox"/>
	7. Details of Proprietor/ Individual and its business, if applicable	<input type="checkbox"/>
	8. PoA in favour of the authorized signatory for signing the application should be supported by the board resolution, in case of a company or approval by the partner/ designated partner (holding majority equity) in case of partnership/ LLP empowering the signatory of PoA for signing such kind of PoA. It may be noted that for proprietorship firm, the proprietor thereof has to sign and upload the application himself/ herself.	<input type="checkbox"/>
	9. Challans evidencing GST and EPF payments issued by the relevant authorities.	<input type="checkbox"/>
	10. Certificate by a practicing Chartered Accountant registered with Institute of Chartered Accountants of India certifying that the applicant has cleared all GST and EPF payments up to date.	<input type="checkbox"/>
	11. Audited Financial Statements certified by Chartered	<input type="checkbox"/>

	Accountant / Audited Balance Sheets for the financial years 2017-2018, 2018-2019, 2019-2020 ,2020-2021 and 2021-22.	
	12. Annual Reports for the financial years 2017-2018,2018-2019, 2019-2020 , 2020-2021 and 2021-22.	<input type="checkbox"/>
	13. Bidder should submit proper work orders and Completion Certificates related to the same job. Every Work Order must be accompanied by respective Completion Certificate as per eligibility criteria	<input type="checkbox"/>
	14. A certificate from its Statutory Auditor, certifying its Financial Criteria as per clause no.2.1 sub-Clause 8 for the last 5 (five) financial years (financial years 2017-2018, 2018-2019, 2019- 2020 2020-2021 and 2021-22)	<input type="checkbox"/>
<b>Annexures and declarations folder</b>	1. Annexure 1- Documents to be enclosed along with the Application	<input type="checkbox"/>
	2. Annexure 2- Application letter	<input type="checkbox"/>
	3. Annexure 3- Details of the Applicant	<input type="checkbox"/>
	4. Annexure 4- Fulfilment of Eligibility Criteria	<input type="checkbox"/>

	5. Annexure 5- Declaration against Blacklisting	<input type="checkbox"/>
	6. Annexure 6- Authorization Letter	<input type="checkbox"/>
	7. Annexure 7- Power of Attorney	<input type="checkbox"/>
	8. Any other document(s)	<input type="checkbox"/>