

**EXPRESSION OF INTEREST FROM INTERNATIONAL ASPIRANTS OF GARNET
FOR
EMPANELMENT TOWARDS SELECTION OF BUSINESS DEVELOPMENT
ASSOCIATES
TO FACILITATE SALE OF DIFFERENT GRADES OF GARNET OF
OSCOM UNIT**



Eoi No.: IREL/CO/EOI/MKTG/01/2024

IREL (India) Limited
(CIN- U15100MH1950GOI008187)
(A Govt. of India Undertaking – Dept. of Atomic Energy)
Plot No. 1207, Veer Savarkar Marg,
Near Siddhi Vinayak Temple,
Prabhadevi, Mumbai- 400028. Website: <http://irel.co.in>

Schedule of Tender

| Sl. No. | Particulars | Information |
|----------------|---|--|
| 1. | Name of Work | Expression of Interest from International aspirants of garnet for empanelment towards selection of business development associates to facilitate sale of different grades of garnet of OSCOM unit, IREL (India) Limited |
| 2. | Eol Reference Number | IREL/CO/EOI/MKTG/01/2024 |
| 3. | Type of bidding | Public tender |
| 4. | Eol Publishing date | 21.02.2024, 15.00 Hrs |
| 5. | Last date and time of submission of Eol | 13.03.2024, 15.00 Hrs |
| 6. | Eol opening date & time | 13.03.2024, 16.00 Hrs |
| 7. | Tender Fee and Earnest Money Deposit | Not Applicable |
| 8. | Validity of Proposal | Proposal submitted by the Bidder against this EOI Document should be valid for a period of at least 180 (One Hundred and Eighty) days from the Bid Due Date. |
| 9. | Contact Person and Address of IREL for Communication | GM (MARKETING)/ MANAGER (EXPORT) IREL (India) Limited Plot No. 1207, V.S. Marg, ECIL Building, Opp. Siddhi Vinayak Temple, Prabhadevi, Mumbai-400 028 Email: marketing1-ho@irel.co.in , Phone 022- 24211630 (Ext. No. 210) 022-24242200 |

Notice Inviting Tender (NIT), Tender Document and Corrigendum/Addendum if any, will be posted on the website: <http://irel.co.in>. Tenderers are advised to complete all submission related work well before the time and date for submission of tender. Any request for modification in the time/date of submission of tender due to tenderer's failure to submit his offer, will not be accepted.

2. Bidding Schedule

IREL shall endeavour to adhere to the schedule provided for under this clause. However, in case IREL in its sole discretion undertakes any modification in the schedule specified below, the same shall be notified from time to time on the IREL website. Hence, bidders are requested to periodically visit IREL website for any notification.

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1.0 PREAMBLE:

IREL (India) Limited, a Mini Ratna-1 company, is a Govt. of India Undertaking under the Department of Atomic Energy and is operating beach sand mining and mineral separation plants at Chavara (Kerala), Manavalakurichi (Tamilnadu) and Orissa Sands Complex (OSCOM), Chatrapur (Odisha), with installed capacity to produce about 6,00,000 tons per annum Ilmenite and also associated minerals such as Rutile, Leucoxene, Zircon, Sillimanite, Garnet, etc. IREL also has its chemical unit at Rare Earths Division, (RED) Aluva, Kerala which is associated with production of Rare Earth compounds. IREL has also set up a Rare Earth Extraction Plant at Odisha to produce about 11,000 ton Rare Earth Chloride and associated products like Trisodium Phosphate (TSP)

Various grades of Garnet are produced by OSCOM unit of IREL. IREL needs to effectively evacuate these materials for smooth operations.

2.0 OBJECTIVE

For effective and efficient sale of OSCOM Garnet (30-60 mesh- coarse garnet and 50-100 mesh- medium garnet) in the export market among foreign buyers, IREL is desirous of seeking the services of experienced associates/agencies having exposure in similar field

- who are financially stable for purchase of IREL OSCOM garnet of different grades for own use or resale the same in international market (outside India) in the respective declared zones,
- create additional market for the OSCOM Garnet
- develop customer base and attract the new customers and users of OSCOM garnet,
- providing necessary information with respect to different grades that are marketed in their zone on a regular and periodical manner clearly describing the trend of requirement, demand and transaction prices of recent times and their trend.

3.0 PROCESS

The process shall consist of

- Stage-1: empanelment/shortlisting of **bidders** through Expression of Interest (EoI) from **international aspirant for garnet** with suitable prequalification and evaluation condition
- Stage-2: Request for Proposal (RFP) from the shortlisted/empanelled bidders for selecting successful bidders for each of the territories which IREL will decide after the EoI.

The stage-1 shall be carried out by empaneling/shortlisting of parties towards finalizing Business Development Associates (BDAs) in different zones of the world in 13 (thirteen) zones as follows:

1. Australia
2. Dubai
3. East Europe
4. East USA
5. Kuwait
6. Latin America
7. Oman
8. Qatar
9. Russia
10. Saudi Arabia
11. Southeast Asia
12. West Europe
13. West USA

Tenure of BDA:

The party selected as BDA shall be appointed on full time basis for a period of three years. However, the performance shall be evaluated at the end of each year and if the performance is not satisfactory BDA agreement shall be terminated.

4.0 INFORMATION ABOUT THE PROPOSED BDA

Roles and Functions of BDA:

- BDA will operate as both user/ Reseller as well as Facilitator for IREL's garnet.
- BDA shall solicit business as per their own consumption or from customers drawing their requirements and upcoming new business to improve IREL's market share in their territory only.
- Before soliciting any customer, BDA shall approach IREL for the business and seek permission from IREL preferably through mail or through other medium.
- IREL will no way be involved in extending any commercial terms in between BDA and its customers.

Reseller

- BDA in reseller mode shall purchase Garnet (coarse and medium grade) in his registered name and subsequently may use or sell to Customers on his account.
- IREL sales to BDA in reseller mode are on principal to principal basis. Similarly, sales by BDA to Customer is also on principal-to-principal basis.
- BDA shall make advance payments to IREL for the supply of Garnet as per the mutually agreed price.
- The ownership of Garnet products shall pass on from IREL to the BDA upon delivery of the material to BDA as per agreed INCOTERMS.

Area of Operation of BDA:

A BDA appointed shall sell/consume garnet within the zone specifically mentioned in the agreement executed for each BDA zone/subzone. However, IREL reserves the right for any change in the area of operation as per the business requirement.

5.0 Criteria of shortlisting (EOI):

The selection of the list of bidders for BDA shall be based on their exposure in similar activity, financial condition and association with mineral sand/ garnet business and use. Zone -wise shortlisting of parties shall be done focusing on the following.

1. Applicant status for last three years backed by documentary proof (actual user, intermediary with proven track record)
2. Annual business turnover
3. Turnover from Garnet and allied field i.e., minerals, equipment for garnet end use industry
4. Availability of working capital (150% of one month's targeted sale)
5. Experience in the field of marketing /sale/use/BDA of garnet in the zone
6. Other related products that the applicant is dealing in.

The brief outline of the criteria of shortlisting of the parties:

| Sl. No. | QUALIFICATION CRITERIA | SELF ATTESTED DOCUMENTARY PROOF REQUIRED |
|---------|---|--|
| 1. | Applicant status: An applicant should be a Proprietary Firm/ Registered partnership Firm/ Limited Company/ Govt. Bodies/LLP operating in the specific zone of application for Mineral business (including garnet) as actual user/ intermediary for marketing with proven track record | Document like certificate of registration, certificate of incorporation etc to establish existence of firm in the specific zone and is in the mineral business as a user of minerals or intermediary for marketing since 01.02.2021 -10 marks |
| 2. | Annual business turnover: Applicant should have adequate financial strength. An annual average turnover of minimum of 30% of annual targeted requirement (as referred in Annexure-II point no 11) cost @ maximum price of coarse garnet (IREL export price on bid due date in US\$ convertible @ rate of conversion on bid due date) during the last three preceding financial years (FY 2020-21, 2021-22 & 2022-23) | Proof in the form of audited Balance Sheet/ Profit & Loss A/C or any other supporting documents. Annual average turnover value met as per qualification criteria (equivalent to the value in US\$ convertible @ rate of conversion on bid due date) -10 marks |
| 3 | Availability of working capital (150% of one month's targeted sale as referred in Annexure-II point no 11 on average month basis): | Working capital shall be as per audited Balance sheet to be calculated as CA-CL. The value in other currency shall be converted at exchange rate @bid due date |

| | | |
|----|--|--|
| | Minimum Working Capital in ₹ = 1.5 * (Projected average monthly sale for BDA @ maximum price of coarse garnet (IREL export price and conversion rate as on bid due date) to provide the required working capital and Infrastructure (Storage facility / Administrative office etc.). | 1.5 times upto 2 times -5 marks >2 times - 10marks |
| 4. | Annual Turnover from Garnet and allied field i.e. minerals, equipment for garnet end use industry. Minimum turnover shall have to be 20% of the Annual Business turnover mentioned in point no 2. | Audited PL account and balance sheet to establish this criteria calculated in line with point no3 above. 20% upto 30%-10 marks >30% - 20 marks |
| 5 | Solvency certificate from reputed bank handling foreign currency | Solvency certificate from reputed bank -5marks |
| 6 | Net worth of the bidder shall be positive | Proof in the form of audited Balance Sheet/ Profit & Loss A/C or any other supporting documents -5 marks |
| 7 | Minimum 3 years of Experience in the field of marketing /sale/use of garnet in the zone or other related products of garnet manufacturing or process that the applicant is dealing with. | Any document to establish this criteria. Three-year experience -10 marks Additional year 10 marks and maximum 30 marks |
| 8 | Submission of detail methodology planning and schedule of quantity of material to be handled towards execution of the function of the activities of BDA | Clear report on methodology submission: 10 marks |

1. The applicants with minimum 60% marks shall be shortlisted for further action.
2. To qualify for shortlisting it is essential to have minimum positive marks (zero mark not acceptable) in each of the criteria no 1, 2, 3, 4, 5 & 6.

6.0 Disqualification:

The conditions under which the offer of party shall be disqualified are mentioned below but not limited to the same.

- Has/have been blacklisted by IREL or by any Govt. organization on account of proven malpractices, which is effective as on date of application.
- Have conflict of interest with IREL
- Persons convicted for any criminal offence involving moral turpitude/ economic offences (other than freedom struggle)
- Mentally unsound or totally paralyzed.
- An applicant cannot put multiple applications as disparate

entities/identities.

- For Registered Partnership firms the conditions spelt out above for Individual /proprietorship would be applicable to each partner of the registered partnership firm individually.
- Entity is under investigation or convicted for any economic offence.
- Insolvency/Bankruptcy shall also be ground for disqualification of applicant.

7.0 EOI INSTRUCTIONS

1. Expression of Interest is invited from qualified bidders with adequate experience as a Business Development Associate in the zone mentioned for garnet marketing/selling/distribution.
2. Before submitting EOI, the bidders are requested to carefully examine the objectives, Qualification criteria and if there should be or appear to be any ambiguity therein, they should immediately refer the matter to IREL for clarification.
3. The EOI application and EOI bid form shall be typed or written in indelible ink and all pages shall be signed by the applicant/authorized person in token of acceptance of EOI bid documents. The EOI bid and all correspondence incidental to and concerning to the EOI bid shall be in English language only. If any other language is used, it has to be translated and submitted with due authentication.
4. IREL reserves the right to modify the EOI by amendment for any reason whatsoever at any time prior to the last date of submission of EOI and such amendments if any shall be hosted in IREL website and CPP Portal
5. The bidder(s) shall treat the EOI bid documents and contents therein as strictly confidential and no part of the EOI document should be disclosed outside as these EOI documents are issued with the strictest confidentiality.
6. The EOI bid documents are exclusive property of IREL without any right to the bidder to use them for any purpose other than bid and for use by successful bidder with reference to work.
7. The bidders who are meeting the qualification criteria may submit their EOI bid in sealed cover in the prescribed EOI documents along with credentials in the following manner.
8. **The EOI bid shall be submitted in a separate sealed envelope super scribed with “EOI for expression of interest for shortlisting/empanelment of parties for finalizing zonal business development associates to facilitate evacuation of different grades of garnet of OSCOM unit of IREL (India) Limited in the export market” addressed to General Manager (Marketing), IREL (India) Limited, 1207, Veer Savarkar Marg, Prabhadevi, Mumbai – 400 0028, on or before 15.00 hours on 13/03/2024.**

The EOI proposal prepared and submitted by the bidder shall comprise the following;

1. EOI Application form
2. Bidders Profile
3. Documentary proofs (self-attested) in support of meeting all parameters as per Qualification Criteria under point no 5.0.
4. Any other document required for the fulfillment of the requirement of the tender.
5. Any one of the above documents, required to be submitted is found short / inadequate, the offer is liable to be rejected at that stage. However, IREL at its discretion may call for any clarification regarding the document. IREL at its discretion may also ask for the submission of any additional/missing/incomplete document(s) within the stipulated time period. In such case(s), the party shall have to comply with IREL's requirement within the specified time. In case of non-compliance with such queries, the offer will be rejected without entertaining further correspondence in that regard.
6. IREL reserves its right to accept or reject any or all EOI or any part of the EOI without assigning any reason whatsoever it may be and shall not be liable for any compensation to expenses / loss incurred by the bidder in the process in whatever manner it may be.
7. EOI received after the closing date and time will not be considered.
8. The bidders meeting the Pre-Qualification criteria will be qualified for issuance of RFP.
9. **The undertaking shall have to be submitted by the party that during the execution of this contract they shall strictly obey the Atomic Energy act, rules and guideline as well as all applicable legal, social, environmental Acts, Rules and compliances.**

**APPLICATION FOR EXPRESSION OF INTEREST
(ON BIDDER'S LETTER HEAD)**

Ref. No.

Date :

To
GM - Marketing
IREL (India) Limited
NO. 1207, VEER SAVARKAR MARG,
NEAR SIDDHI VINAYAK TEMPLE,
PRABHADEVI, MUMBAI-400028

REF: TENDER NO.: IREL/CO/PT/EOI/01/2024

Dear Sir,

This is with reference to the EOI No. IREL/CO/EOI/MKTG/01/2024 dated 21.02.2024 inviting EOI/offer for zone wise authorized Business Development Associate (BDA) for the zone of application -----..

I/We, the undersigned Applicant, have read and examined in detail the EOI Bid Document for appointment authorized BDA for IREL and are desirous of participating in the above process.

I/We confirm having submitted the details in support of qualifying criteria as required by you along with this Application and necessary documents. In case you require any further information in this regard, I/we agree to furnish the same.

I/ We hereby declare that all the information and statements made in this Proposal are true and accept that any misinterpretation contained in it may lead to our disqualification.

I/We understand that you are not bound to accept any EOI bid you receive.

Yours sincerely

Authorized Signature, Name & Designation

Bidders Profile

| | | | | |
|--|---|---|--|-----|
| 1 | Name and address of the firm: (Detail address and operating area and details of operation in garnet business also to be provided) | | Name of firm: | |
| | | | Authorized persons name: | |
| | | | Telephone No.: | |
| | | | E-Mail : | |
| | | | Mobile No.: | |
| | | | Website: | |
| | | | Details of garnet business -as an annexure | |
| | Applicant status: (Strike out what ever is not applicable) | | a)Proprietorship, / Registered partnership Firm/ Limited Company/ Govt/LLP b) User/intermediary with proven track record of Garnet business | |
| Zone for which application made: (Strike out whatever is not applicable) | | 1. Australia 2. Dubai 3. East Europe 4. East USA 5. Kuwait 6. Latin America 7. Oman 8. Qatar 9. Russia 10. Saudi Arabia 11. Southeast Asia 12. West Europe 13. West USA | | |
| 2 | Name of the proprietor/partner/Directors | Educational Qualification | Nationality | Age |

| | | | | |
|----------|--|--|---|--------------------|
| | 1) | | | |
| | 2) | | | |
| | 3) | | | |
| | 4) | | | |
| | Have you or any of the partners / Directors been involved as defendant in a criminal or civil suit (Excluding minor traffic violations etc.). If yes details to be provided. | | | YES / NO |
| | Have you or any of the partners / Directors been involved in conflict of interest with the operation of IREL. If yes details to be provided. | | | YES / NO |
| | Have your firm is blacklisted by IREL. If yes details to be provided. | | | YES / NO |
| 3 | Zone applied for Business Development Associate: | | | |
| | Zone: | | Place proposed to operate in : | |
| 4 | Do you have experience in the field of marketing /sale/use of garnet in the zone or other related products? If yes | | The applicant must have minimum 3years experience of Selling/dealing/distributing of mineral product. The details of experience in the field of marketing /sale/use of garnet in the zone or other related products with details of quantity handled, type of product etc. to be provided | |
| 5 | If yes, | | | |
| | a) Experience in number years: | | | |
| | b) Experience of Selling/dealing/distributing of mineral product | | | |
| | c) Experience of Selling/dealing/distributing of garnet | | | |
| | d) If yes, whether dealing with indigenously produced product | | | |
| | e) Quantity of Garnet/ mineral sold per annum (Mineral wise) | | | |
| 6 | Please mention briefly who are the potential customers/clients in the zone and expected quantity to be handled in the zone (quantity per year) | | | |
| 7 | Details of Branches presently having & proposed new branches in the proposed zone(if any) | | | |
| 8 | Details of present business | | | |
| | Name of major Products being distributed/sold/marketed including Garnet | | Name of Brand/Company | Quantity per annum |
| | | | | |

| | | | |
|----|--|---------|---------------------------------------|
| 9 | Annual business turnover: | | |
| | An annual average turnover of the last three preceding financial years (i.e 2020-21,2021-22,2022-23). In case bidder adopts annual basis accounting as per the prevailing practice in their country, then, annual average turnover for 2021,2022 & 2023 shall be considered for evaluation | | |
| | Year | Product | Turnover (Rupees in lakhs or US\$) |
| | | | |
| | | | |
| 10 | Working capital- Details to be provided in line with the sl no 3 of clause no 5.0 of criteria for shortlisting | | |
| | BANKERS | NAME | ADDRESS |
| | | | |
| 11 | Projected average monthly purchase of garnet (coarse) :.....tonnes | | |
| 12 | a. Documents towards positive net worth submitted (yes/no) b. Solvency certificate from reputed bank as per PQ submitted (yes/no) c. Report of methodology as per PQ submitted (yes/no) | | |
| 13 | Turnover from Garnet and allied field i.e. minerals, equipment for garnet end use industry. | | |
| 14 | Undertaking shall have to be submitted by party that during the execution of this contract they shall strictly obey the Atomic Energy act, rules and guideline as well as all applicable legal and social, environmental acts and compliances. (Yes/no) | | |
| 13 | Any other relevant information | | |

DATE _____

Signature of Sole Proprietor/Managing
Partner / Director

with Seal
PLACE _____

Conflict of Interest

1.1 A Bidder shall not have a conflict of interest (the "Conflict of Interest") that affects the Bidding Process. Any Bidder found to have a Conflict of Interest shall be disqualified. Without prejudice to the generality of the aforesaid, a Bidder shall be deemed to have a Conflict of Interest affecting the Bidding Process, if:

- i. the Bidder, its subsidiary /Subsidiaries and/or Holding Company and any other bidder, subsidiary /Subsidiaries and/or Holding Company directly or indirectly have common controlling shareholders or ownership interest; provided that his disqualification shall not apply to any ownership by a bank, insurance company, pension fund or a public financial institution referred to in section 4A of the Companies act 2013. For the purpose of this section indirect shareholding held through one or more intermediate persons shall be computed as follows:

- (aa) where any intermediary is controlled by a person through management control or otherwise, the entire shareholding held by such controlled intermediary in any other person (the "Subject Person") shall be taken into account for computing the shareholding of such controlling person in the Subject Person; and

- (bb) subject always to sub-clause (aa) above, where a person does not exercise control over an intermediary, which has shareholding in the Subject Person, the computation of indirect shareholding of such person in the Subject Person shall be undertaken on a proportionate basis; provided, however, that no such shareholding shall be reckoned under this sub-clause (bb) if the shareholding of such person in the intermediary is less than 26% of the subscribed and paid up equity shareholding of such intermediary; or

- ii) a constituent of such bidder is also a constituent of another bidder or
- iii) Such bidder or any subsidiary /Subsidiaries and/or Holding Company receives or has received any direct or indirect subsidy, grant, concessional loan or

subordinated debt from any of the Bidder or subsidiary /Subsidiaries and/or Holding Company or has provided any such subsidy, grant, concessional loan or subordinated debt to any other bidder, subsidiary /Subsidiaries and/or Holding Company or

- a. such Bidder has the same legal representative for purposes of this Bidding process as any other bidder; or
 - b. Such bidder or any subsidiary /Subsidiaries and/or Holding Company has a relationship with another Bidder or any Subsidiary/Subsidiaries and/or Holding Company, directly or through common third party /parties , that puts either or both of them in position to have access to each other's information about or to influence the Bid of either or each other or such bidder or any Subsidiary /Subsidiaries and /or Holding Company has participated as a consultant to IREL in the preparation of nay documents, design or technical specifications of the Project.
- iv. A bidder shall be liable for disqualification if any of the key managerial persons of IREL is/are related to the promotor or key managerial persons of the Bidder/members of the bidding Consortium, its subsidiary /holding company/Affiliate. Key managerial personnel shall have the meaning provided to it in Section 2(51) of the Companies Act 2013. For the purpose of this clause Bidder has to declare of any relationship as per this clause.

The above instances are illustrative but not exhaustive. Conflict of interest shall include all instances/situations/relationship/operations which may impact or may be perceived as likely to impact Bidders capacity to serve the best interest of IREL. The Bidder shall have an obligation to disclose any situation of actual or potential conflict. Any such disclosure shall be made at the time of submission of the proposal. If the Bidder fails to disclose the conflict of interest and if IREL came to know about any such situation at any time, it may lead to the disqualification of the said Bidder during bidding process or the termination of its contract during the contract execution.

ETHICS IN TENDERING & OTHER BUSINESS DEALINGS:

Dear Sir,

IREL (India) Limited, a Government of India undertaking under the administrative control of Department of Atomic Energy is doing its business as per the rules and regulation of the Public Sector Undertaking and other statutory agencies. The business is done in an ethical, rational & impartial manner with good corporate governance.

In our endeavour to be more transparent in our dealings and to support our ideology all **Vendors, Customers and Business Partners** are requested not to provide any gift and / or inducement to any of our employees for securing / being granted favour in dealings with our Company. In assurance of your commitment to the aforesaid, it will be highly appreciated if you fill up, sign and abide by the attached undertakings.

Report of any gifts and / or inducements sought by any employee of the company should be immediately reported to any one of the following:

| | |
|--|---|
| Chairman & Managing Director IREL (India) Limited., 1207, V.S. Marg, Prabhadevi Mumbai 400 028. Ph: 022-24225778 Email:cmd@irel.co.in | Chief Vigilance Officer IREL (India) Limited., 1207, V.S. Marg, Prabhadevi Mumbai 400 028 Ph:022-24221068 Email:cvo@irel.co.in |
|--|---|

We assure you that complaints if any made by you on the subject will be kept confidential and fair investigation will be conducted and appropriate action will be taken. Similarly, we expect your commitment to the undertaking and its violation will have consequences as per prevailing rule of the Company.

Thanking you,

For IREL (India) Limited

Name -----

Designation -----

Date

UNDERTAKING:

Date:

To,
M/s IREL (India) Limited.,
1207, V.S. Marg, Prabhadevi
Mumbai 400 028.

I / We am / are a Vendor / Customer of IREL (India) Limited (now onwards to be referred as Company).

I / We agree and undertake:

Not to provide any gift and / or inducement to any employee of the Company in connection with securing / being granted favour (s) in my / our dealings with the Corporate office of the company and / or its any field units namely MK, Chavara, OSCOM, RED & IRERC.

To immediately report any gift and / or inducement sought by any employee of the Company granting favour(s) to me / us in my / our dealings with the Company and / or its field units.

Signature.....

Name.....

Title.....

Name of the Company and Address (with Seal)