

PQD NO. 02/CFPP/JPCL/2024

PREQUALIFICATION DOCUMENTS (PQD)

FOR

SUPPLY OF

SPECIFIED SUB-BITUMINOUS COAL

FOR

COAL FIRED POWER PLANT, JAMSHORO



JAMSHORO POWER COMPANY LIMITED "JPCL"

INVITATION FOR SUBMISSION OF STATEMENT OF QUALIFICATION (SOQ)

Scope of Prequalification	Coal Suppliers are invited to submit statement of qualification (SOQ) to pre-qualify for Competitive Bidding through RFQ. The prequalified Suppliers shall be registered for a period of three (3) years for the supply of the specified Sub-bituminous Coal to Jamshoro Power Company Limited (JPCL), a Government Owned Entity, under GENCO Holding Company Limited (GHCL), Ministry of Energy (Power Division) Islamabad, for 660 MW Coal Fired Power Plant (CFPP) at Jamshoro, Sindh, Pakistan (“the Project”)
Eligible Suppliers	Coal Producers/Coal Mine Owners/Coal Trading Companies/Coal Marketing Firms (the “Suppliers”)
Date of issue of PQD	Since 25-04-2024
Last date for purchase of PQD	14-05-2024 at 1630 Hrs.
Pre-SOQ submission Meeting	07-05-2024 at 1130 Hrs.
Last date and time of submission of PQD	15-05-2024 till 1200 Hrs.
Date, Time and Place of opening of PQD	15-05-2024 at 1230 Hrs. JPCL Conference Room, 1 st Floor, Main Admin Building, TPS Jamshoro

COAL PROCUREMENT CONCEPT PAPER

JPCL plans to procure the Sub bituminous Coal from suppliers on “need basis”. The procurement will be conducted from time to time from among the prequalified and the shortlisted “Suppliers” through Competitive Bidding; Request for Quotation “RFQ” for Coal Supply on CPT Jamshoro.

The procurement process will be conducted in two (02) phases. In first phase, the suppliers will be prequalified, shortlisted and registered with JPCL and in second phase, the call of contract will be executed among the supplier (s) and JPCL, who would offer competitive market rates within Ceiling Price, for the supply of required quantity of Sub bituminous Coal.

Phase 1: Suppliers Prequalification

- a. This PQD is being advertised for submission of Statement of Qualification (SOQ) documents of Coal Suppliers for pre-qualification for Registration with JPCL.
- b. The Suppliers’ Prequalification process shall be conducted on the basis of evaluation criteria outlined in this document. The Successful applicants will be put on the list of qualified suppliers for a period of three (3) years and they will be allowed and invited to participate in the bidding process through Request For Quotation” RFQ”. The Procuring Agency may on need basis prequalify the new prospective suppliers to add in the list of already qualified suppliers.
- c. As a result of Suppliers’ Prequalification process, the shortlisted Suppliers will be given an invitation to get themselves registered with JPCL for future supplies of Sub bituminous Coal on competitive market reflective rates, following indexes of Argus/McCloskey's Coal Price Index as per NEPRA Guidelines
- d. The Shortlisted Suppliers will be required to submit a “Corporate Guarantee” as a part of registration. The draft of “Corporate Guarantee” has been provided in this PQD as Annex-1

Phase 2: Competitive Bidding for Supply of Sub bituminous Coal

- a. Bidding Notice will be printed on JPCL Website and communicated to the prequalified registered Suppliers who shall be entitled to participate in bidding process of Request for Quotation “RFQ” for supply of the specified quantity of Sub bituminous Coal to JPCL.

- b. The first invitation of coal spot procurement shall be before Commercial Operation Date “COD” tentatively in June, 2024, as first fill of inventory during the commissioning phase within specified days of issuance of the Bidding Notice.
- c. The bid price will be evaluated on the basis of least cost method or cost and quantity method, the bidders who will secure higher score, will be awarded high ranking and so on.

The Supplier(s) with higher quantity and lower price, below the Ceiling Price, will be asked to supply first, by the order of the ranking until the Procurement Quantity is completed. The Alternate Suppliers will be invited to supply at the quoted lower price.

- d. A Confirmation Notice will be issued which will be final and binding upon both parties. The Supplier will start to supply the coal on issuance of notice to supply (NTS) which will be communicated through correspondence and electronic means.
- e. The payment terms preferably will be on 90 days credit line. In case of delay in payment, the late payment surcharge (LPS) will be admissible 1-month KIBOR (ask) plus negotiated spread.
- f. A bid bond of 5% will be deposited by the supplier against each bid in response of the Bidding Notice.
- g. A performance bond of 10% will be required to be deposited by the finalized Supplier(s) upon issuance of the Confirmation Notice, (Purchase Order) and bid bond will be returned.
- h. **Bid price must be on CPT Jamshoro basis which must be worked out considering all expenses involved, the Matrix of allied expenses have been premediated in an EXCEL Sheet, will be considered for evaluation in “RFQ”.**
- i. The JPCL reserves the right to make any amendments/modifications in the documents/procedure over time.

Note: The detailed scope of supply of Specified Sub-bituminous coal, shall be communicated later on to the prequalified Suppliers at the time of Bidding Notice through RFQ.

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INVITATION FOR PREQUALIFICATION

(Reference: PID(I) No. 6402/23 published in Daily Jang newspaper on dated 25-04-2024)

Jamshoro Power Company Limited (“**JPCL**”) invites pre-qualification applications from interested parties in relation to the procurement of Sub bituminous Coal as per the specified specifications for its 660 MW Coal Fired Power Plant located at Jamshoro, Sindh, Pakistan (the “**Project**”). The procurement of coal for Project will be conducted through Call of Contract on Spot Buying basis under “NEPRA GUIDELINES FOR PROCUREMENT OF COAL ON SPOT BASIS” (as amended time to time).

The objective of the prequalification is to prequalify eligible and qualified applicants for “on-demand supply” of coal as per specifications given in the prequalification document, for the “Project”. Only the prequalified applicants shall be entitled to participate in the procurement proceedings, and it is expected that the prequalified applicants will serve as Suppliers for a period of three years.

Prequalification process is open for all Applicants subject to fulfilling the eligibility requirements and qualification criteria mentioned in the Prequalification Documents. Interested Applicants may obtain further information from JPCL at the address mentioned below during office hours.

It is mandatory that the Applications be prepared using the standard formats provided in Section III (Application Forms) of the Prequalification Document. Applications that are not prepared on the prescribed format may not be considered by the JPCL. If any information required in the prescribed forms of the Prequalification Document, is found missing, or written elsewhere, no credit will be given during evaluation and may lead to rejection of the Application.

A complete set of Prequalification Document may be purchased by interested parties on the submission of a written application to the address mentioned below and upon payment of a non-refundable fee of Rs. 5000/- (in words: Rupees Five Thousand, only) in shape of Pay Order/ D.D in favor of “CEO Jamshoro Power Company Limited”. The

Prequalification Documents can also be downloaded from *web address of JPCL* (www.jpcl.com.pk) and the receipt of payment of Rs.5,000 / Pay Order/ D.D in favor of “CEO Jamshoro Power Company Limited” must be attached with the Bid, at the time of its submission, without which the Bid will not be accepted.

The original Application along with two (02) *copies*, properly filled in, and enclosed in sealed envelope(s) must be delivered to the address at office of **Project Director, Jamshoro Coal Fired Power Project Mohra Jabal, Dadu Road, Jamshoro** at or before **1200 hrs. (PST) on 14-05-2024**. The Applications will be opened promptly thereafter at 1230 hrs. in the presence of bidders’ representatives who choose to attend in the opening, at Conference Room, 1st Floor, Main Admin Building, Thermal Power Station, Jamshoro. Late Applications will not be entertained and will be returned unopened/or rejected.

A Pre-Application Meeting (PAM) will be held at CFPP Jamshoro on 07-05-2024 at 1130 Hrs.



PROJECT DIRECTOR
Jamshoro Coal Fired Power Project
JPCL (GENCO-I), Mohra Jabal, Sehwan Road, Jamshoro
Phone: (92 22) 9213742, (92 22) 9213744
Email: pdpiu@jpcl.com.pk



IMPORTANT NOTICE

This Prequalification Document is issued by the Procuring Agency and is provided to the recipient solely for use in preparing and submitting Prequalification Applications. The Prequalification Applications shall be submitted by Applicants upon the full understanding and agreement of all terms of this Prequalification Document and such submission shall be deemed as an acceptance to all the terms and conditions stated in this Prequalification Document.

Neither the Procuring Agency, nor its consultants, advisors, employees, personnel or agents, make any representations (express or implied) or warranties as to the accuracy or completeness of the information contained in this Prequalification Document, or in any other document made available to a person in connection with the Prequalification Process; and the same shall have no liability for this Prequalification Document or for any other written or oral communication transmitted to the recipient in the course of the recipient's evaluation of the Project.

Neither the Procuring Agency, nor its consultants, advisors, employees, personnel or agents will be liable to reimburse or compensate any recipient for any costs, fees, damages or expenses incurred by the recipient in evaluating or acting upon this Prequalification Document. This Prequalification Document shall neither constitute a solicitation to invest, or otherwise participate, in the Project, nor shall it constitute a guarantee or commitment of any manner on the part of the Procuring Agency that the prequalified Suppliers will be awarded with supply contract.

The Procuring Agency reserves the right, in its full discretion, to modify the Prequalification Document and/or the Project requirements at any time to the fullest extent permitted by applicable laws and shall not be liable to reimburse or compensate the recipient for any costs, taxes, expenses or damages incurred by the recipient in such an event.

GLOSSARY

Unless otherwise specified / defined herein, all capitalized terms used in this document shall bear the meanings set out below. References to any law, rule or regulation shall include any amendments, modifications or any re-enactment thereof.

TERM	DEFINITION
Applicant	An interested party, that has submitted Prequalification Application in response to the Prequalification Document.
Applications	The prequalification applications submitted by Applicants in response to the Prequalification Document.
Bidding Process	The procurement process to be conducted in accordance with NEPRA Guidelines for Spot Buying by calling quotations from among prequalified and registered suppliers.
ITA	Instructions to Applicants.
JV	Joint venture.
Registration	The prequalified suppliers shall be required to get themselves registered with JPCL for the period of one (1) year to supply Sub bituminous Coal “on demand basis” on market reflective rates in agreement with or less than predetermined “Ceiling Price”.
PKR	Pakistani Rupees, the lawful currency of the Islamic Republic of Pakistan.
NEPRA	The National Electric Power Regulatory Authority, established under the Act, 1997.
NEPRA Guidelines	Collectively, the Regulations, Guideline, Notification issued by the NEPRA from time to time on the subject of Procurement of Coal on Spot Basis.
Prequalification Document	This prequalification document issued by the Procuring Agency for the prequalification of Applicants for the Project.

Prequalification Process	The Prequalification Process being conducted by the Procuring Agency pursuant to the Prequalification Document in terms of NEPRA Guidelines on Spot Purchase for the Project.
Procuring Agency or JPCL	Jamshoro Power Company Limited, a public limited company established under the laws of the Islamic Republic of Pakistan, with its business office at Mohra Jabal, Sehwan Dadu Road, Indus Highway, Jamshoro.
Project	The procurement of Sub-bituminous Coal on Spot Buying from prequalified, shortlisted and registered Suppliers through Competitive Bidding; Request For Quotation “RFQ” for 660 MW, Coal Fired Power Plant Jamshoro, Sindh, Pakistan.
PST	Pakistan Standard Time.
USD	United States Dollars, the lawful currency of the United States of America.

Section I: Instructions to Applicants

A. General

1. Scope of Application

- 1.1. In connection with the “Invitation for Prequalification”, JPCL issues this Prequalification Document to interested parties to determine the capacity and capability of the Applicant(s) for supply of Sub-bituminous **Coal** as specified in Section IV (Scope of Supply). The identification number of the Invitation to Prequalification is PQD-02/CFPP/JPCL/2024.
- 1.2. Applicants to note that the procurement of Coal shall be conducted on basis of either: (i) any international pricing index i.e., API, ICI, Newcastle, etc. These indexes will be as published by Argus/McCloskey's Coal Price Index reports; or (ii) competitive bidding through Request For Quotation “RFQ” as may be deemed appropriate by the Procuring Agency; or (iii) combination of the two.
- 1.3. The quarterly requirement of Sub bituminous Coal shall be determined by JPCL based on its operation requirements, tentatively 540,000 Metric Tons and yearly requirement may be to the tune of 2.0 Million Metric Tons.
- 1.4. There will be no commitment to procure minimum quantity of supply of Coal from the Applicants or bidders at any stage of the Bidding Process. The supply of Coal shall be made based on demand which shall be solely determined by the JPCL.

2. Source of Funds

JPCL own funds.

3. Fraud and Corruption

- 3.1. JPCL requires that Applicants/bidders/suppliers/contractors, to observe the highest standard of ethics during the Prequalification Process and execution of contracts.
- 3.2. Any communications between the Applicant and JPCL related to Prequalification Process and execution of contracts must be made in writing or in electronic forms that provide record of the content of communication.

- 3.3. JPCL will reject an Application if it determines that an Applicant has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices or other integrity violations during the Prequalification Process or the subsequent procurement process for the Project or similar coal supply projects in Pakistan or in any other country / jurisdiction and / or shall declare such Applicant ineligible, either indefinitely or for a stated period of time, to engage with the JPCL and its affiliates.
- 3.4. “Corrupt and fraudulent practice” means either one or any combination of the practices.
- 3.5. JPCL will also declare the Applicant as blacklisted at any stage of the procurement process.

4. Eligible Applicants

- 4.1. The Prequalification Process is open to companies, sole proprietors, partnership firms or other legal entities established under the applicable laws of the respective countries. Applicants are allowed to submit Applications as single entities or as joint ventures. In case an Applicant is a joint venture:
 - a) maximum number of members in the joint venture shall be two (02);
 - b) lead member of the joint venture shall be specified in the Application, and shall be authorized pursuant to the Power of Attorney, to carry out all the activities relating to Prequalification Process and the Bidding Process and in the event of award, signing the relevant agreements / instruments, for and on behalf of the joint venture;
 - c) each member of the joint venture shall be required to satisfy the qualification criteria set out in the Prequalification Document; and
 - d) the liability of the members of the joint ventures shall be joint and several.
- 4.2. An Applicant (or a joint venture partner) that has been declared debarred or blacklisted as available on <http://www.ppra.org.pk> shall be ineligible to be prequalified to bid, for period of two years’ time for procurement of coal.
- 4.3. A conditional Application will be rejected by the Procuring Agency in its sole discretion.
- 4.4. Only prequalified Applicants shall be allowed to participate in the Bidding Process.

4.5. An Applicant should not have conflict of interest.

5. Eligibility (in terms of Nationality)

Applicants may be ineligible if they are nationals of India and Israel.

B. Contents of the Prequalification Documents

6. Sections of Prequalification Documents

6.1. This Prequalification Document consists of Parts 1 and 2 which comprise all the sections indicated below;

PART 1 Prequalification Procedures

- Section I - Instructions to Applicants (ITA)
- Section II - Qualification Criteria and Requirements
- Section III – Application/SOQ Forms

PART 2 Supply Requirements

- Section IV – Schedule of Requirements
- Section V – Annexures

6.2. The Applicant is expected to examine all instructions, forms and terms in the Prequalification Document and to furnish all information or documentation required in the Prequalification Document.

6.3. Unless obtained directly from JPCL or downloaded directly from the website link www.jpcl.com.pk, JPCL accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the Pre-Application Meeting (if any). In case of any discrepancies, documents issued directly by JPCL or downloaded from the website link shall prevail.

7. Clarification of Prequalification Documents and pre-Application Meeting

7.1. An Applicant requiring any clarification of the Prequalification Documents shall contact JPCL in writing at JPCL’s address or through email. JPCL will respond in

writing to any request for clarification provided that such request is received no later than three (03) days prior to the deadline for submission of the Applications. JPCL shall forward a copy of its response to all prospective Applicants who have obtained the Prequalification Documents directly from JPCL or through its website link, including a description of the inquiry but without identifying its source. JPCL shall also promptly publish its response at the web page. Should JPCL deem it necessary to amend the Prequalification Documents as a result of a clarification, it shall do so.

- 7.2. The Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time mentioned in NIT/PQD. During this Pre-Application Meeting, prospective Applicants may request clarification of the schedule of requirement, the qualification criteria or any other aspects of the Prequalification Documents.
- 7.3. Minutes of the Pre-Application Meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting, will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Documents. Any modification to the Prequalification Documents that may become necessary as a result of the Pre-Application Meeting, shall be made by JPCL exclusively through the use of an addendum / corrigendum. Non-attendance at the Pre-Application Meeting will not be a cause for disqualification of an Applicant.

8. Amendment of Prequalification Documents

- 8.1. At any time prior to the deadline for submission of Applications, JPCL may amend the Prequalification Documents by issuing an addendum/corrigendum.
- 8.2. Any addendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all Applicants who have obtained the Prequalification Documents from JPCL. JPCL shall promptly publish the addendum/corrigendum at JPCL's web page; www.jpcl.com.pk
- 8.3. Provided that an Applicant who had either already submitted their Applications

or handed over the applications to the courier prior to the issuance of any such addendum/corrigendum, shall have the right to withdraw its already filed Application and submit the revised Application prior to the original or extended Application submission deadline.

- 8.4. To give Applicants reasonable time to take an addendum/corrigendum into account in preparing their Applications, JPCL may at its discretion, extend the deadline for the submission of Applications:
- 8.5. Provided that JPCL shall extend the deadline for submission of Applications, if such an addendum/corrigendum is issued within last three (03) days of the Application submission deadline.

C. Preparation of Applications

9. Cost of Applications

- 9.1. The Applicant shall bear all costs associated with the preparation and submission of its Application. JPCL will, in no case, be responsible or liable for those costs, regardless of the conduct or outcome of the Prequalification process.
- 9.2. Any addendum / corrigendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all Applicants who have obtained the Prequalification Documents from the Procuring Agency. The Procuring Agency shall promptly publish the Addendum at the Procuring Agency's web page: www.jpcl.com.pk
- 9.3. Provided that an Applicant who had either already submitted their Applications or handed over the applications to the courier prior to the issuance of any such addendum, shall have the right to withdraw his already filed Application and submit the revised Application prior to the original or extended Application submission deadline.

10. Language of Application

The Application as well as all correspondence and documents relating to the Prequalification exchanged by the Applicant and JPCL, shall be written in English language.

11. Documents Comprising the Application

Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in English language, in which case, for purposes of interpretation of the Application, the translation shall govern.

12. Application Submission Letter

The Applicant shall complete an Application Submission Letter as provided in Section III (Application Forms). This Form must be completed without any alteration to its format.

13. Documents Establishing the Eligibility of the Applicant

To establish its eligibility, the Applicant shall complete the eligibility declarations in the Application Submission Letter, included in Section III (Application Forms).

14. Documents Establishing the Qualifications of the Applicant

14.1. To establish its qualifications, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section III (Application Forms).

14.2. Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the Pak Rupees.

15. Signing of the Application and Number of Copies

15.1. The Applicant shall prepare one (1) set of the original documents comprising the Application as specified in the Prequalification Document and clearly mark it "ORIGINAL". The original set of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their

legally authorized signatories.

- 15.2. The Applicant shall submit two (02) copies of the signed original Application and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.
- 15.3. It is mandatory that the Applications be prepared using the standard formats provided in Section III (Application Forms) of the Prequalification Document. Applications that are not prepared on the prescribed format may not be considered by JPCL. If any information required in the prescribed forms is found missing, or written elsewhere, no credit will be given during evaluation and may lead to rejection of the Application.

D. Submission of Applications

16. Sealing and Identification of Applications

- 16.1. The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- a. bear the name and address of the Applicant;
 - b. be addressed to JPCL; and
 - c. bear the specific identification of this Prequalification Process; PQD-02/CFPP/JPCL/2024
- 16.2. If the envelope is not sealed and marked as required, the JPCL will assume no responsibility for the misplacement of the Application, or any documents forming part thereof.
- 16.3. Applications shall be submitted by the Applicants: (i) through courier / express mail; or (ii) by hand at the address

Project Director,
Jamshoro Coal Fired Power Project,
Mohra Jabal, Sehwan Dadu Road, Jamshoro.
Phone: (92 22) 9213744, (92 22) 9213742

17. Deadline for Submission of Applications

Date: 15-05-2024

Time: 12:00 Noon (PST)

- 17.1. No arrangements shall be made by the JPCL with prospective Applicants for collection of the Applications from any delivery point. Prospective Applicants shall bear all expenses incurred in the preparation and delivery of Applications. No claims for refund of any expense shall be entertained.
- 17.2. Where delivery of the Application is by courier / express mail and an Applicant wishes to receive an acknowledgment of receipt of such Application, the Applicant shall make a request for such acknowledgement in a separate letter attached to (but not included in) the sealed Application.
- 17.3. JPCL may at its discretion, extend the deadline for the submission of Applications, in which case all rights and obligations of JPCL and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

18. Late Applications

JPCL shall not consider any Application that arrives after the Application submission deadline. Any Application or any document submitted after the Application submission deadline shall be declared late, rejected and returned unopened to the Applicant.

19. Opening of Applications

- 19.1. JPCL shall open all Applications at Conference Room, 1st Floor, Main Admin Building, Jamshoro on 15-05-2024 at 12:30Hrs. The Late Applications shall not be entertained.
- 19.2. JPCL shall prepare a record of the opening of Applications to include, as a minimum, the name and contact details of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

20. Confidentiality

- 20.1. Information relating to the Applications, their evaluation and results of the Prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the Prequalification Process, until the notification of

Prequalification results is made public to all Applicants.

20.2. From the deadline for submission of Applications to the time of notification of the results of the Prequalification, any Applicant that wishes to contact JPCL on any matter related to the Prequalification Process, may do so only in writing.

21. Clarification of Applications

21.1. To assist in the evaluation of Applications, JPCL may, at any stage of the Prequalification Process and at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a reasonable time period as may be specified by JPCL. Any request for clarification from JPCL and all clarifications from the Applicant shall be in writing.

21.2. If an Applicant does not provide clarifications and/or documents requested by the date and time set in JPCL's request for clarification, its Application, at the sole discretion of JPCL, may be rejected or may be evaluated based on the information and documents available at the time of evaluation of the Application.

22. Responsiveness of Applications

22.1. JPCL may reject any Application which is not responsive to the requirements of the Prequalification Documents. In case the information furnished by the Applicant is incomplete or otherwise requires clarification and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

22.2. JPCL reserves the right to waive or seek rectification of any minor deviations / omissions in the Applications, if it considers (in its sole discretion) that such deviations / omissions do not materially affect the capability of an Applicant to fulfil its obligations in relation to the "Project" and such rectification would not unfairly affect the competitive position of other Applicants presenting substantially responsive Applications.

23. Margin of Preference

Margin of preference shall not apply in the Bidding Process resulting from this

Prequalification.

24. Sub-contractors

Subcontracting of any part of the Scope of Supply of Goods, is not allowed.

F. Evaluation of Applications and Prequalification of Applicants

25. Evaluation of Applications

25.1. JPCL shall use the factors, methods, criteria and requirements defined in Section II, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, and no other methods, criteria or requirements shall be used. Evaluation of Applications shall be based on “pass / fail” basis. JPCL reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract.

25.2. Only the qualifications of the Applicant shall be considered. The qualifications of other firms such as the Applicant’s subsidiaries, parent entities, affiliates or any other firm(s) different from the Applicant, shall not be taken into consideration in determining the qualifications of the Applicant.

26. JPCL’s Right to Accept or Reject Applications

JPCL reserves the right to accept or reject all the Applications, and to annul the Prequalification Process at any time, without thereby incurring any liability to the Applicants.

27. Prequalification of Applicants

27.1. All Applicants whose Applications have been determined to be responsive to the requirements of the Prequalification Document, as determined by JPCL, shall be prequalified

27.2. An Applicant may be “conditionally prequalified,” that is, qualified subject to the Applicant submitting or correcting certain specified minor, nonmaterial documents

or deficiencies to the satisfaction of JPCL.

27.3. Applicants that are conditionally prequalified will be so informed along with the statement of the condition(s) which must be met to the satisfaction of JPCL before or at the time of submitting their bids for Bidding Process.

28. Notification of Prequalification

28.1. JPCL shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.

28.2. Applicants that have not been prequalified may write to JPCL to request, in writing, the grounds on which they were disqualified, JPCL may, but is not obligated to, justify the Applicants of such grounds.

29. Request for Quotations

Promptly after the notification of the results of the Prequalification, JPCL shall invite the RFQ from all the Applicants that have been prequalified or conditionally prequalified. Conditionally prequalified Applicants shall only be eligible to submit bids once they satisfied the requirements for their conditional prequalification and have been prequalified by JPCL.

30. Changes in Qualifications of Applicants

30.1. Any change in the structure or formation of an Applicant after being prequalified and invited to bid (including, in the case of a JV, any change of any member thereto) shall be subject to the written approval of JPCL prior to the deadline for submission of bids. Such approval shall be denied if or the Applicant shall be disqualified (as may be applicable), if:

- a) a prequalified Applicant proposes to associate with a disqualified Applicant or in case of a disqualified joint venture, any of its members;
- b) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section II, Qualification Criteria and Requirements; or

c) in the opinion of JPCL, the change may result in a substantial reduction in competition.

30.2. Any such change should be submitted to JPCL before the date of “Invitation for Bids; Request For Quotation “RFQ”.

31. Procurement Related Complaint

31.1. JPCL shall constitute a Grievance Redressal Committee (“GRC”) comprising of odd number of persons with necessary power and authorization to address the complaint. The GRC shall not have any of the members of Procurement Evolution Committee. The committee must have one subject specialist depending the nature of the procurement in addition to one person with legal background.

31.2. Any party can file its written complaint against the eligibility parameters or any other terms and conditions prescribed in the bidding documents found difficult, and the same shall be addressed by the GRC well before the proposal submission deadline.

31.3. Any Applicant feeling aggrieved by any act of JPCL, after the submission of his/her application for Prequalification, may lodge a written complaint concerning his/her grievances not later than three (3) days after the announcement of the result of Prequalification.

31.4. The GRC shall investigate and decide upon the complaint within five (5) days of its receipt.

31.5. If an Applicant wishes to make a Procurement-related Complaint, the Applicant should submit its complaint, in writing (by the quickest means available, that is either by email to:

Office Address: Chief Executive Officer, JPCL (GENCO-I), Mohra Jabal, Sehwan Road, Jamshoro.

Office Address: ceo@jpcl.com.pk
ceojpcl@yahoo.com

Section II: Qualification Criteria and Requirements

This Section contains the methods, criteria and requirements that JPCL shall use to evaluate Applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

1. Eligibility
2. Financial Situation
3. Relevant Experience and Performance
4. Pre-Qualification and Evaluation Criteria

1. Eligibility Criteria

Sr. No.	Eligibility Criteria	Requirement	Conformance Document
1.	Nationality	Must be from eligible countries in accordance with ITA 5	Incorporation/ Registration Certificate Required
2.	Conflict of Interest	No conflicts of interest in accordance with ITA 4.5	Declaration in Application Submission Letter
3.	Eligibility Criteria	Must meet eligibility criteria including mandatory legal and tax requirements	Declaration in Application Submission Letter
4.	History of Non-Performing Contracts	Non-performance of a contract did not occur as a result of Supplier's default since 1st January, 2021	Form VII to be duly filled
5.	Blacklisting Based on Execution of Bid by the Procuring Agency	Not under suspension based on execution of a Bid	Affidavit as per Form X to be duly filled
6.	Pending Litigation	Applicant's financial position and prospective long-term profitability still sound and assuming that all pending litigation will be resolved against the Applicant	Form VII to be duly filled
7.	Litigation History	No consistent history of court/arbitral award decisions against the Applicant since 1st January 2021	Form VII to be duly filled

8.	Non-Blacklisting Declaration	The Applicant must declare that it is not currently blacklisted in any public/private sector organization across Pakistan or any other State or International Financial Institution	Affidavit as per Form X to be duly filled
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Note: Nonconformance to any of the above eligibility requirements will lead to **Disqualification** of the Applicant. All eligibility requirements must be supported by valid documentary evidence / undertaking. False, materially inaccurate or incomplete documents may result in disqualification of the Applicant.

2. Financial Situation

Minimum qualifying criteria for the “**Qualification**” has been set out as to “**PASS**” in each category. “**FAIL**” in any Category will render the bidder ineligible or disqualified.

Sr, No.	Qualification Criteria	Requirements	Remarks
1.	Financial Soundness	The Audited Financial Statements for the last three (03) years shall be submitted and must demonstrate the current financial soundness of the Applicant in terms of Average Total Asset base, which should not be less than PKR 500,000,000/ (Rupees Five Hundred Million Only)	Attach Documentary Evidence (Form III)
2.	Average Annual Turnover	Average Annual Turnover (Average Annual Sales Revenue) of last three (03) years, should not be less than PKR 1,000,000,000/- (Rupees: One Billion only), verifiable from the Audited Financial Statements	Attach Documentary Evidence (Form IV)
3.	Cash Flow/ Credit Lines	The Applicant has adequate source to the tune of PKR 250,000,000/- (Rupees Two Hundred Fifty Million Only) as Average Working Capital (which is Total Current Asset – Total Current Liabilities), during last three (03) years	Attach Documentary Evidence (Form III)

Note: Form-III & IV should be duly filled, all financial requirements must be supported by valid documentary evidence. False, materially inaccurate or incomplete documents may result in **Disqualification** of the Applicant.

3. Relevant Experience and Performance

Minimum qualifying criteria for the “**Qualification**” has been set out as to “**PASS**” in each category. “**FAIL**” in any Category will render the bidder ineligible or disqualified.

Sr, No.	Qualification Criteria	Requirement	Remarks
1.	General Experience	Experience in supply of Specified Coal shall not be less than 500,000 Metric Tons within last three years	Attach Documentary Evidence
2.	Specific Experience	<p>Documentary evidence of the Applicant’s qualifications;</p> <ul style="list-style-type: none"> • to perform the Contract of supply of the Specified Coal to the Power Sector for last One Year <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • to import coal for last one year, witnessing from an Import G.D on Supplier’s name. 	Attach Documentary Evidence
3.	Market Credibility / Performance	<p>The Applicant shall also demonstrate that;</p> <ul style="list-style-type: none"> • the firm has provided Specified Coal to the entire satisfaction of at least One client in Power Sector. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • the firm has executed successfully One (01) Purchase Order for supply of Specified Coal in Power Sector. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • the firm is presently executing the Contract for supply of Specified Coal with at least Two (02) Power Sector entities. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • the firm has been prequalified and enlisted as Registered Coal Supplier /Eligible Bidder with at least Two (02) Power Sector entities. 	Attach Documentary Evidence

Note:

1. **Form-V &VI** should be duly filled; all experience requirements must be supported by valid documentary evidence. False, materially inaccurate or incomplete documents may result in disqualification of the Applicant.
2. Here “**Specified Coal**” means” the Sub-bituminous Coal” Or higher-grade having GCV at least 5300 kCal/kg or more (This is for evaluation purpose only)

Pre-Qualification and Evaluation Criteria

This section outlines the detailed criteria for pre-qualification of Suppliers for subsequent execution of call of contract for the supply of Sub bituminous Coal at CPT Jamshoro. The JPCL will evaluate each SOQ received in response to, and in accordance with, this PQD on the basis of the criteria set out in this section.

Qualification Categories

The Supplier shall be evaluated on the following parameters for pre-qualification for supply of coal, for tentative quantity and specifications described in Section II above, to the Project:

- a. Suppliers Information
- b. Pending Litigation
- c. Financial Soundness
- d. Experience Record of Supplying Specified Coal
- e. Sourcing Plan

Details required in each category above are detailed below.

a) Suppliers Information

The Supplier can apply as a single entity or as a Joint Venture (“JV”). The Supplier must sign the Application Submission Sheet and provide its details as required in SOQ Form-I and II.

Single Entity

In case of a single entity, Supplier must attach copy of original incorporation certificate/company’s registration proof.

The Supplier must authorize someone as Authorized Representative to represent the firm for signing the SOQ.

Joint Venture

In case of a JV, Supplier must submit the certified true copy of original JV Agreement. All JV members must submit the authorization of the single representative of the Supplier. Further, Power of Attorney is a legally binding format to sign this PQD and subsequent call of contract. One Lead Supplier should be mentioned in the JV Agreement. Authorized Representative must be from Lead Supplier.

Each member of the joint venture shall be required to PASS the qualification criteria

b) Pending Litigation

All pending litigation shall be treated as resolved against the Supplier and so shall not represent more than **50% of the Supplier's Net Worth** (calculated as the difference between total Assets and total Liabilities) in total. The Supplier must also represent that pending litigations must not have any adverse impact of any sort to supply of Specified Coal to the Project.

c) Financial Soundness

The Suppliers are required to have to fill SOQ **Form-III & IV** to demonstrate Turn over. This Financial Soundness of the Supplier shall be demonstrated through submission of audited financial statements, for the last three (03) years.

The Suppliers must be registered with the relevant Tax Department in their respective jurisdictions.

Suppliers, who possess the valid Licenses/Approvals for Import/Export of coal, may share the evidence.

d) Experience Record of Supplying Specified Coal

The Suppliers must fill SOQ Form V and VI and submit as evidence; the experience certificate/satisfactory performance certificate.

e) Sourcing Plan

Suppliers will demonstrate that it has access to sufficient coal resources through commercial arrangement or historical track record.

Suppliers will provide an indicative sourcing plan for supply of Specified Coal to the JPCL. The objective of sourcing plan is to ascertain Supplier's capability to manage time and quality of Coal Supply against confirmed order.

SOQ Documents

The Suppliers must submit the Application Submission Sheet and filled-out SOQ Forms provided in Section III of this document. The Suppliers must meet required criteria against each category through appropriate documentary evidence. The JPCL reserves the right to waive minor deviations, if these don't materially affect the capability of a Supplier to perform.

Each page of the SOQ, Original and Two Copies-Application Submission Sheet, SOQ Forms and documentary evidence, must be signed and stamped by the Authorized Representative of the Supplier. **All documentary evidence must be attested certified true copies of the original documents.**

Basis for Disqualification

At the sole discretion of the JPCL, a Supplier's SOQ may be disqualified and dropped from further consideration for any of the reasons listed below:

- a. Receipt of SOQ after the Submission Date
- b. Incomplete SOQ
- c. Failure to submit the required support documentation and comply with terms of the PQD
- d. Willful misinterpretation in the SOQ
- e. Failure to meet eligibility criteria.
- f. Fail in any one category of Qualification Criteria.

Section III- SOQ Forms

Form I: Application Submission Letter

Form II: Applicant Information Form

Form III: Financial Situation and Performance

Form IV: Average Annual Turnover

Form V: Current Contract Commitments

Form VI: Past Contract performance

Form VII: Historical Contract Non-Performance

Form VIII: Power of Attorney

Form IX: Format of Affidavit

FORM-I Application Submission Letter

Date: *[insert day, month, and year]*

No. and title: *[PQD-02/CFPP/JPCL/2024 for Supply of Sub-bituminous Coal]*

To: *[Jamshoro Power Company Limited,*

Mohra Jabal, Sehwan Dadu Road, Indus Highway, Jamshoro]

We, the undersigned, apply to be prequalified for the referenced procurement and declare that:

- (a) **No reservations:** We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s), issued *[insert the number and issuing date of each addendum]*.
- (b) **No conflict of interest:** We have no conflict of interest;
- (c) **Eligibility:** We meet the eligibility requirements as stated Eligibility criteria; we have not been suspended by the Procuring Agency based on execution of a Bid;
- (d) **Commissions, gratuities, fees:** We declare that the following commissions, gratuities or fees have been paid or are to be paid with respect to the Prequalification Process, the corresponding Bidding Process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert name for amount]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount]</i>
<i>each occurrence]</i>			

[If no payments are made or promised, add the following statement: "No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application]

- (e) **Not bound to accept:** We understand that you may cancel the Prequalification Process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to bid for the contract subject to this Prequalification Process, without incurring any liability to the Applicants.
- (f) **True and correct:** All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed: *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name: *[insert full name of person signing the Application]*

In the capacity of: *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of: *[insert full name of the Applicant or the name of the JV]*

Address: *[insert street number/town or city/country address]*

Dated: *[insert date the document is signed i.e. day number] day of [insert month], [insert year]*

[For a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

FORM-II Applicant's Information Form

Date: *[insert day, month, year]*

No. and title: *[PQD-02/CFPP/JPCL/2024 for Supply of Sub-bituminous Coal]*

To: *[Jamshoro Power Company Limited,*

Mohra Jabal, Sehwan Dadu Road, Indus Highway, Jamshoro]

Applicant's name <i>[insert full name]</i>
In case of Joint Venture (JV), name of each member: <i>[insert full name of each member in JV]</i>
Applicant's actual or intended country of registration: <i>[indicate country of Constitution]</i>
Applicant's actual or intended year of incorporation: <i>[indicate year of Constitution]</i>
Applicant's legal address [in country of registration]: <i>[insert street/ number/ town or city/ country]</i>
Applicant's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above. <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement. 4. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership. <i>In case of JV, the Applicant's information shall include information on each JV member and letter of intent to form JV or JV agreement.</i>

Form -II (continued)

Applicant's Information Form

Date: *[PQD-02/CFPP/JPCL/2024 for Supply of Sub-bituminous Coal]*

To: *[Jamshoro Power Company Limited*

Mohra Jabal, Sehwan Dadu Road, Indus Highway, Jamshoro]

1. Applicants' Name:			
2. Street Address:	Postal Code:	City:	
3. P.O Box and Mailing Address:			
4. Telephone Number:			
5. Fax Number:			
6. E-mail Address:			
7. Web site:			
8. Contact Name:			
9. Contact Title:			
10. Type of Business:			
11. If other, specify:			
12. Nature of business:			
13. Year established:			
14. Dates, Numbers and Expiration Dates of Current Licenses and Permits: (If applicable)			

FORM-III Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

Number. and title: *[PQD-02/CFPP/JPCL/2024 for Supply of Sub-bituminous Coal]*

Financial data

Type of Financial information in (currency)	Historic information for previous <i>[insert number]</i> years, <i>[insert in words]</i> (Amount in currency, exchange rate, PKR equivalent)			
	Year 1 FY 2020-21	Year 2 FY 2021-22	Year 3 FY 2022-23	Average
Statement of Financial Position (Information from Balance Sheet)				
Total Assets (TA)				
Total Liabilities (TL)				
Total Equity/Net Worth (NW)				
Current Assets (CA)				
Current Liabilities (CL)				
Working Capital (WC)				
Information from Income Statement				
Total Revenue (TR)				
Profits Before Taxes (PBT)				
Cash Flow Information				
Cash Flow from Operating Activities				

Note: Financial documents

The Applicant and its parties shall provide copies of financial statements for the last *three (03)* years pursuant Section II, Qualifications Criteria and Requirements. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV member and not an affiliated entity (such as parent company or group member).
 - (b) be independently audited or certified in accordance with local legislation.
 - (c) be complete, including all notes to the financial statements.
 - (d) correspond to accounting periods already completed and audited.
- Attached are copies of financial statements for the last three [03] years required above; and complying with the requirements

FORM-IV Average Annual Turnover (Annual Sales Value)

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

No. and title: *[insert number and title]*

Page *[insert page number]* of *[insert total number]* pages

Annual turnover		
Year	Amount Currency	PKR
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>	
		Average Annual Turnover

FORM-V Current Contract Commitments / Contracts in Progress

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

No. and title: *[insert number and title]*

Page *[insert page number]* of *[insert total number]* pages

1. Name of Contract(s)
2. Procuring Agency Contact Information [insert address, telephone, fax, e-mail address]
3. Value of outstanding contracts [In PKR]
4. Estimated delivery date

FORM-VI Past Contract performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

No. and title: *[insert number and title]*

Page *[insert page number]* of *[insert total number]* pages

4 Contracts over <i>[insert amount]</i> during the last three years:				
Procuring Agency	Value	Year	Sub-bituminous Coal supplied	Country

FORM-VII Historical Contract Non-Performance, and Pending Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

No. and title: *[insert number and title]*

Page *[insert page number]* of *[insert total number]* pages

Non-Performed Contracts in accordance with Section II, Qualification Criteria and Requirements			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January <i>[insert year]</i> specified in Section II, Qualification Criteria and Requirements.			
<input type="checkbox"/> Contract(s) not performed since 1 st January <i>[insert year]</i> specified in Section II, Qualification Criteria and Requirements.			
Year	Non- performed portion of contract	Contract Identification	Total Contract Amount in PKR
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Procuring Agency: <i>[insert full name]</i> Address of Procuring Agency: <i>[insert street/city/country]</i> Reason(s) for nonperformance:	<i>[insert amount]</i>
Pending Litigation, in accordance with Section II, Qualification Criteria and Requirements			
<input type="checkbox"/> No pending litigation in accordance with Section II, Qualification Criteria and Requirements.			
<input type="checkbox"/> Pending litigation in accordance with Section II, Qualification Criteria and Requirements, as indicated below.			

Year of dispute	Amount in dispute	Contract Identification	Total Contract Amount
<i>[insert year]</i>	<i>[insert amount]</i>	<p>Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i></p> <p>Name of Procuring Agency: <i>[insert full name]</i></p> <p>Address of Procuring Agency: <i>[insert street/city/country]</i></p> <p>Matter in dispute: <i>[indicate main issues in dispute]</i></p> <p>Party who initiated the dispute: <i>[indicate "Procuring Agency" or "Supplier"]</i></p> <p>Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i></p>	<i>[insert amount]</i>
<p><input type="checkbox"/> No consistent history of court/arbitral award decisions in accordance with Section II, Qualification Criteria and Requirements.</p> <p><input type="checkbox"/> Consistent history of court/arbitral award decisions in accordance with Section II, Qualification Criteria and Requirements, indicated below.</p>			

Year of award	Outcome as percentage of	Contract Identification	Total Contract Amount
<i>[insert year]</i>	<i>[insert percentage]</i>	<p>Contract Identification:</p> <p><i>[indicate complete contract name, number, and any other identification]</i></p> <p>Name of Procuring Agency:</p> <p><i>[insert full name]</i></p> <p>Address of Procuring Agency:</p> <p><i>[insert street/city/country]</i></p> <p>Matter in dispute:</p> <p><i>[indicate main issues in dispute]</i></p>	<i>[insert amount]</i>

FORM-VIII Power of Attorney

NOTES FOR EXECUTION OF POWER OF ATTORNEY

- *To be executed by each Applicant (including each joint venture partner) authorizing the relevant attorney to, inter alia, sign the required documents on its behalf in relation to the Prequalification Document.*
- *This Power of Attorney shall be on stamp paper of PKR 200/- and notarized with the Notary Public.*
- *For a Power of Attorney executed and issued overseas, the same will have to be notarized by Notary Public and attested by the Pakistani Embassy / Consulate in the country where the Power of Attorney is executed; and once brought into Pakistan, the same is to be attested by Ministry of Foreign Affairs, Pakistan (in case attorney is being appointed in Pakistan) and adhesive stamped.*
- *This Power of Attorney shall be witnessed by two (2) male witnesses or one (1) male and two (2) female witnesses.*

KNOW ALL MEN BY THESE PRESENTS, WE, _____ (*name of the entity and address of the registered office*) do hereby irrevocably constitute, nominate, appoint and authorize Mr. / Ms. (Name), son / daughter / wife of _____ holding [CNIC/Passport] Number _____ and presently residing at _____, who is presently employed with us and 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 the requirements of the prequalification document issued on [●] (the “**Prequalification Document**”) by Jamshoro Power Company Limited (the “**Procuring Agency**”) in relation to Supply of Sub-bituminous Coal for the 660 MW, Coal Fired Power Plant Jamshoro, Sindh, Pakistan (the “**Project**”), including but not limited to signing and submission of all documents and providing information / responses to the Procuring Agency, representing us in all matters before the Procuring Agency, and generally dealing with the Procuring Agency in all matters in connection with our Prequalification Application.

We hereby ratify all prior and future acts, deeds and things lawfully done by the Attorney in relation to the Project (including with respect to the submission of our Prequalification Application in response to the Prequalification Document) pursuant to this Power of Attorney and we hereby agree that all prior and / or future acts, deeds and things done by the Attorney in relation to the Project (including with respect to the submission of our Prequalification Application in response to the Prequalification Document) shall, and shall always be, deemed to have been done by us.

IN WITNESS WHEREOF WE, _____, HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS _____ DAY OF _____, 20____.

For & On Behalf of:

_____ (*name of the entity*)

By Its Duly Authorized Signatory

.....

(Signature)

(*Insert Name, Title and Address*)

WITNESSES:

WITNESS 1:

WITNESS 2:

.....

.....

NAME:

NAME:

CNIC / PASSPORT NUMBER:

CNIC / PASSPORT NUMBER:

ADDRESS:

ADDRESS:

SIGNATURE OF ATTORNEY

.....

(Signature)

(*Insert Name, Title and Address of the Attorney*)

FORM-IX Format of Affidavit

Notes for Execution of Affidavit

- *To be executed by each Applicant and by each joint venture partner.*
- *The mode of execution of the Affidavit should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s).*
- *This Affidavit shall be on stamp paper of PKR 200/- and notarized with the Notary Public.*
- *For an Affidavit executed and issued overseas, the same will have to be notarized by Notary Public and attested by the Pakistani Embassy / Consulate in the country where the Affidavit is executed; and once brought into Pakistan, the same is to be adhesive stamped.*
- *This Affidavit shall be witnessed by two (2) male witnesses or one (1) male and two (2) female witnesses.*
- *If the Affidavit is executed in Pakistan, the same is required to be verified by the Oath Commissioner.*

Please find below the form and substance of the Affidavit.

Affidavit

(this “Affidavit”)

Date: _____

JAMSHORO POWER COMPANY LIMITED

[Insert Address and Email details]

Reference the Prequalification Document issued on [●], by Jamshoro Power Company Limited (“**Procuring Agency**”), (the “**Prequalification Document**”) in relation to the [supply of Sub-bituminous Coal for generation of power at 660MW, CFPP, Jamshoro (the “**Project**”).

- (1) I, [in case of company, insert name of the authorized person and its designation] of [insert name of company] / [in case of sole proprietor, insert name of sole proprietor and its CNIC or Passport No.] of [insert name of sole proprietorship, if any] / [in case of partnership, insert name of authorized person and its CNIC or Passport No.] of [insert name of partnership, if any] (the “**Entity**”), a [in case of company /

partnership, insert nature of company / partnership (if any)] duly organized and existing under the laws of [Pakistan] [insert country of incorporation] with its registered office located at [insert registered address], do hereby solemnly affirm, declare and state that:

- (a) the Entity is not ineligible / blacklisted to participate in, submit prequalification application for, bid for or undertake any contract or project (including the Project) through any form of public tender (due to reasons, including but not limited to corrupt practices and poor performance) by any federal or provincial governmental or non-governmental department / agency in Pakistan, or any other provincial government / governments of any foreign countries or their governmental bodies and / or International Organizations (e.g. World Bank, Asian Development Bank, United Nations, International Monetary Fund etc.) at the date of submission of this Affidavit;
- (b) the Entity is not:
 - (i) included as a debarred person pursuant to the public sanctions list of any multilateral development bank that is party to the Agreement on Mutual Enforcement of Debarment Decisions of 9th April 2010 (www.crossdebarment.org); or
 - (ii) included on any sanctions' lists promulgated by the UN Security Council or its Committees, or any other recognised international sanctions list;
- (c) no action, suit or other legal proceeding or governmental investigation is pending against the Entity or any of its respective officers, directors or employees, or that any of the foregoing has received any notice thereof, which questions the validity and execution of this Affidavit or the representations provided in this Affidavit;
- (d) the Entity has not directly or through an agent, engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the award of the Project or similar coal supply projects in Pakistan;
- (e) the Entity is not in bankruptcy or liquidation proceedings or receivership, or wound up, or its affairs are not being administered by a court or a judicial officer, or its business activities have not been suspended or it is not the subject of legal proceedings of any of the foregoing and has a reasonable expectation of being able to discharge all financial liabilities as they fall due;
- (f) the Entity has not failed to sign a contract with any procuring authority following award;

- (g) [the Entity is legally and financially autonomous and operates under commercial law]¹; and
 - (h) neither the Entity, nor I have concealed any information that might hinder the Prequalification Process, or the subsequent Bidding Process to be conducted for the Project.
- (2) That whatever stated above is true and correct to the best of my knowledge and belief and nothing has been concealed thereto.

All capitalized terms unless defined herein shall bear the meaning as ascribed thereto in the Prequalification Document.

Deponent

Verified on oath at _____ on this ____ day of _____, 20__ that the contents of the above Affidavit are true and correct to the best of my knowledge and belief.

Deponent

Witnesses:

1. _____

2. _____

Name: _____

Name: _____

Address: _____

Address: _____

CNIC No.: _____

CNIC No.: _____

¹Only relevant for the government owned legal enterprise or institution.

PART 2

Section IV: SCOPE OF SUPPLY AND REQUIREMENT

1. Scope of Supply
2. Delivery Schedule

1. Scope of Supply

Description/ Scope	The plant may use subbituminous coal around 200,000 Metric Tons per month. JPCL will issue Notice of Readiness (NOR) to the Registered Coal Supplier for the quantity required as per power generation demand acknowledged by power purchaser. Supply of 2.0 Million Metric Tons Per Annum (MTPA) of sub-bituminous coal at CPT Jamshoro will be required.
Pricing Method	Coal Price Indexation method will be followed as per Argus/McCloskey's Coal Price Index reports or through competitive bidding (RFQ) in accordance with NEPRA Guidelines.
Discharging Point	Coal Fired Power Plant (CFPP) Jamshoro, Sindh Pakistan
Mode of Transportation	PRFTC Wagons; ZKBH (Pakistan Railways)

Required Coal Specifications:

Sr. No.	Parameters	Basis	Unit	Typical	Rejection
1.	Total Moisture		% by weight	18—23	>23
2.	Net Calorific Value	AR	kCal/kg	6000	<5850
3.	Volatile Matter	AR	% by weight	33—39	<33 or >39
4.	Sulfur	AR	% by weight	0.20—0.75	>0.75
5.	Ash	AR	% by weight	04—09	>09
6.	HGI			43— 50	<43 or >50
7.	Hemispherical Temperature (HT) Oxidizing Atm	Reducing Atm	°C	1100—1300	<1100 or >1300
8.	Particle Size	AR	mm	0 — 0.5	≤ 30%
				>0.5 — 50	≤ 69.99%
				>50	≤ 0.1%

Coal Testing:

Coal quality analyses shall be performed at JPCL site as per available facility. For any dispute, a reputable Independent / Third Party Evaluator will be hired with mutual consent at Supplier's Cost.

Note: The detailed scope of supply of Specified coal, shall be communicated to the prequalified Suppliers at the time of Bidding Notice through RFQ.

2. Delivery Schedule

Description/ Scope	Quarterly estimated supply of 540,000 Metric Tons of Sub-bituminous Coal at CPT Jamshoro
Pricing Method	Coal Price Indexation method will be followed as per Argus/McCloskey's Coal Price Index reports or through competitive bidding (RFQ) in accordance with NEPRA Guidelines.
Discharging Point	Coal Fired Power Plant (CFPP) Jamshoro, Sindh Pakistan
Mode of Transportation	ZBKH Wagons of Pakistan Railways
Delivery Schedule	Within 40 days from notice to supply (NTS) which will be issued on signing of contract and issuing <i>Purchase Order</i> . The coal delivery will be required from May 2024 (tentatively).
Delivery Point	CPT Jamshoro

Categories	40 days, delivery period from date of Notice To Supply (NTS)				
Week	Week 1	Week 2	Week 3	Week 4	Total
Quantity(tons)	[at least one train]				
Facilities for loading					

Note: The detailed Delivery Schedule, shall be communicated to the prequalified Suppliers at the time of Bidding Notice through RFQ.

Section-V: Annextures

[Not required to be filled / submitted at this Prequalification Stage. These forms/Formats will be required to be filled during registration and corresponding bidding process]

- Corporate Guarantee Form *[At the time of Registration]* Annex-1
- Request For Quotation *[At the stage of bidding]* Annex-2
- Ceiling Price Matrix *[At the stage of bidding]* Annex-3
- Contract Format [At the stage of Purchase Order] Annex-4

Annex-1

FORMAT OF CORPORATE GUARANTEE AND UNDERTAKING

M/s Jamshoro Power Company Limited

Mohra Jabal, Sehwan Road,

Jamshoro, Sindh, Pakistan

Dear Sirs,

CORPORATE GUARANTEE AND UNDERTAKING

We,, the undersigned, do hereby irrevocably and unconditionally agree, undertake and guarantee that pursuant to the prequalification of Coal Suppliers, Shortlisting and Registration executed on dated [.] , we shall within 10 days of each Bidding/ Call of Quotation Notice, shall submit with you our “Coal Bid Price” for selling Sub bituminous Coal of given specifications on CPT Jamshoro basis and in the compliance with the terms and conditions described in the relevant Purchase Order together with the terms and conditions of Bidding Document; Request For Quotation “RFQ”.

We,, the undersigned further agree that we shall not be entitled to make any claim whatsoever and that no right shall accrue to us until and unless you accept our offer in writing.

We further agree and covenant:

1. That this Guarantee shall remain valid and cover any and all Purchase Orders issued pursuant to the Registration Period, one (1) year notwithstanding any change in our constitution or any other change.

2. That this Guarantee shall be enforceable notwithstanding any change in your name or any change in your constitution or of your successors or assigns or by your absorption into or amalgamation with any other legal entity.

IN WITNESS WHEREOF, we have executed this Guarantee on the day, month and year first above written

WITNESS NO.1

WITNESS NO.2

Signature:

Signature:

Name:

Name:

CNIC:

CNIC:

Address:

Address:

Annex-2

Request for Quotation/Bid Price Form

Based on the Technical Quality Specification, the Quoted Price for Spot Coal is as below:

Full Name of Bidder/Supplier	
Ceiling Price of COAL	_____Rs. /Ton *Based on NCV 6000 Kcal/Kg (ARB), without GST, at CPT Jamshoro.
GST 18%	_____Rs. /Ton
Quoted Price	_____Rs/Ton *Based on NCV 6000 Kcal/Kg (ARB), without GST, at CPT Jamshoro.
GST 18%	_____Rs. /Ton
Quoted Quantity	_____Metric Tons.
Coal Source (Origin)	Countries:
Quoted Price % above or below the “Ceiling Price”	
Validity Period	_____Days, from the due date of submission.

(Company Seal and Signature)

Note: This is for reference only. This may be altered/modified and provided to the Qualified Suppliers at the time of Bidding Notice through RFQ

Annex-3

CEILING PRICE MATRIX

Procuring Agency will use the following information/ data to determine/ establish the “Ceiling Price”. The rates quoted by bidders below the Ceiling Price for this procurement will be declared the “Most Advantageous Bidder”/ “Successful Bidders”. The *Bidders whose quoted bid price will be above the Ceiling Price, will be declared as “Unsuccessful Bidders” or “Alternate Bidders”*

Landed Cost of Coal CPT Jamshoro			
Description	Unit	Prices in US\$ per MT	Remarks
API-4 as per Argus/ McCloskey's Coal Price Index for bids opening week (Formula as per NEPRA Guidelines)	US\$/Ton		
Base Calorific Value	kCal/Kg	6,000 NCV	As per Schedule of Requirement table.1 Section-V of this Bidding
Marine Freight Charges	US\$/Ton		As per Chartered Rate of Penamax for bids opening day/week
CFR Coal Price	US\$/Ton		
Marine Insurance	US\$/Ton		0.1% of CFR as per NEPRA's Coal Price Adjustment Mechanism dated 23.09.2016
CIF Coal Price without Handling Loss	US\$/Ton		
Handling Loss 1.0 % of CIF Coal Price or actual whichever is minimum	US\$/Ton		As per NEPRA's Coal Price Adjustment Mechanism dated 23.09.2016
CIF Coal Price at Karachi	US\$/Ton		

Other Charges:			
(i) Port Handling Charges	US\$/Ton	3.11	Coal Handling and Terminal Services Charges as per PIBT Rates with adjustment of price (if any)
(a) PQA Royalty Charges	US\$/Ton	2.38	
(b) Wharfage Charges	US\$/Ton	1.45	
(c) Port Disbursement Account Charges at Load Port	US\$/Ton	0.74	As determined by NEPRA in the case of Sahiwal Coal Project vide No. NEPRA/ R/DG (Trf)/TRF- 308/ HSRPEL - 2015/7563-61 dated 30.03.2023 (Annex-5)
(d) Port Disbursement Account Charges at Discharge Port	US\$/Ton	0.46	
(ii) Custom Duties	US\$/Ton		HS Code: 2701.1900 Custom Duty @ 3% Additional Custom Duty @ 2% Additional Sales Tax @ 3% Income Tax @ 1% Cess (2) 1.25%
(iii) Custom Clearance Charges	US\$/Ton		As per applicable rates on the date of bid opening
(iv) Draft Survey, Sampling, Sample Preparation & Analysis Charges	US\$/Ton		
	US\$/Ton		
Delivered Coal Price at PIBT (in USD)	US\$/Ton		
Exchange Rate	Rs. /US\$		SBP Forex Rates On bids opening date
Delivered Coal Price at PIBT (in PKR)	Rs. /Ton		
Coal Transportation from PIBT to Marshaling Yard Pipiri	PKR/Ton		Base Price is PKR 780/- Per Ton @ HSD Price PKR 144.15 per Lit. 50% of the above Cost is associated with the HSD Price which will be indexed as per the HSD rates on the bids opening date.
Inland Freight Charges till Supply of the Coal at Project Site	Rs. /Ton/KM 4.82*250		Inland Freight Rates @ PKR 4.82 per ton per KM and PKR 100 per Metric Ton as Development Charges by PRFTC/PR and distance from MYP to Project Site is around 250 (as PRFTC considers minimum distance as 250 KM) KM. HSD Price Indexation as per ICTA.

Delivered Coal Price at Power Plant (excluding GST)	PKR/Metric Ton		
GST	%		GST is applicable on the supplies
Sub Total of Delivered Coal Price at Project Site (including GST)	PKR/Metric Ton		
Grand Total of Coal Price at Project Site "Ceiling Price"	PKR/Metric Ton		

Note: This is for reference only. This may be altered/modified and provided to the Qualified Suppliers at the time of Bidding Notice through RFQ

Annex-4

Contract Format

(Contract Format will be available with Request for Quotation “RFQ”)