

**DIRECTORATE OF NETWORK AND
SPACE OPERATIONS (DNSO)**

**NAVAL HEADQUARTERS
GOVERNMENT OF INDIA**

**EXPRESSION OF INTEREST (EoI)
FOR**

**SPACE BASED MARITIME
MONITORING SOLUTION SERVICES
FOR
INDIAN NAVY**

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SECTION 1

1 Introduction

The Naval Headquarters, Government of India is seeking persistent surveillance/comprehensive Maritime Monitoring Solution Services through space-based assets for Information Management and Analysis Centre (IMAC) to undertake assessment and analysis of vessels with no AIS transmission, vessels with unusual activity and vessels which fall into other asymmetric threat categories.

1.1 Area Description

1.1.1 The Maritime Monitoring Solution Services through space-based assets are to be provided in the Indian Ocean Region as per selected areas promulgated by the Indian Navy.

1.2 Objective of Expression of Interest (Eoi)

1.2.1 The President of India, acting through Principal Director Networks and Space Operations (the “Employer”), has decided to undertake procurement of a Maritime Monitoring Solution Services for Information Management and Analysis Centre (IMAC) of Indian Navy and seek information of probable Applicants to whom the Contract may be awarded. The Employer intends to short-list suitable Applicants in accordance with the procedure set out herein who will be eligible for participation in the Tender Stage and ultimately, for Contract award, if successful.

1.2.2 General description of the proposed services required for Maritime Monitoring solution is given in Section 3. However, detailed description of Scope of Works shall be provided with the Tender Document which will be issued to short-listed Applicants at a later date.

1.2.3 The Applicant may submit his/ her Application pursuant to this Eoi in accordance with the terms set forth herein as modified, altered, amended and clarified by the Employer. All Applications shall be prepared and submitted in accordance with such terms on or before the date specified in Clause 1.6 for submission of Applications (the “Application Due Date”).

1.3 Brief Description of Tendering Process

1.3.1 The Employer has adopted a two-stage tendering process (collectively referred to as the “Tendering Process”) for selection of the Tenderer for award of the Contract. The first stage {the “Expression of Interest (Eoi) Stage”} of the process involves qualification (the “Qualification”) of interested parties who make an Application in accordance with the provisions of this Eoi (the “Applicant”,). At the end of this stage, the Employer shall announce a list of all short-listed Applicants (the “Tenderers”) who shall be eligible for participation in the second stage of the Tendering Process (the “Tender Stage”) comprising of Request for Proposals (the “Request for Proposals” or “RFP”).

1.3.2 In the EoI Stage, Applicants would be required to furnish all the information specified in this EoI. Only those Applicants that are short-listed by the Employer shall be invited to submit their Tenders for the Services sought.

1.3.3 At the Tender Stage, the Tenderers shall be called upon to submit their Technical Tender and Financial Tender (the “Tenders”) in accordance with the RFP and other documents to be provided by the Employer (collectively the “Tender Documents”). The Tender Documents will be provided to every short-listed Applicant (Tenderer).

1.3.4 The Contract shall be awarded to the Tenderer who is technically suitable as per the approved Technical Evaluation Report from the concerned competent authority and has quoted the lowest Tender Price (the “Tender Price”). Details of the process to be followed at the Tender Stage and the terms thereof will be spelt out in the Tender Documents.

1.4 Queries to EoI / Request for Clarification

1.4.1 Any queries or request for additional information concerning this EoI shall be submitted in writing by Speed Post/Courier and by e-mail so as to reach the officer designated in Clause 1.5 by the due date specified in Clause 1.6. The envelope/ communications shall clearly bear the following identification/ title:

“Queries/ Request for Clarification Information: EoI for Maritime Monitoring Solution Services”

1.5 Address for Submission/Opening of Applications

Directorate of Network and Space Operations (DNSO)
Naval Headquarters
Room No 33, C – Wing, Sena Bhawan
New Delhi – 110 023
Telephone No: 011 – 23010238
E-Mail Address: insc@navy.gov.in

1.6 Schedule of EoI Stage Process

The Employer shall adhere to the following schedule: -

| Ser | Event/ Description | Date |
|------------|---------------------------------|-------------|
| (a) | Last date for receiving queries | 15 Mar 24 |
| (b) | Employer response to queries | 22 Mar 24 |
| (c) | Application Due Date | 02 Apr 24 |

SECTION 2

2 INSTRUCTIONS TO APPLICANTS

2.1 Scope of Application

2.1.1 The Employer wishes to receive Applications for EoI in order to short-list experienced and capable Applicants for the Tender Stage.

2.1.2 Short-listed Applicants will be subsequently invited to submit the Tenders for procurement of a Maritime Monitoring Solution Services.

2.2 Eligibility of Applicants

2.2.1 For determining the eligibility of Applicants for the EoI stage hereunder, the following shall apply:

(a) The Applicant for EoI shall be a single entity. No Applicant can be a Specialised Subcontractor of another Applicant. However, the Applicant(s) can have common Specialised Subcontractor(s) in their Application.

(b) An Applicant may be a private entity or government-owned.

(c) An Applicant shall not have a conflict of interest (the "Conflict of Interest") that affects the Tendering Process. Any Applicant found to have a Conflict of Interest shall be disqualified. An Applicant shall be deemed to have a Conflict of Interest affecting the Tendering Process, if:

(i) the Applicants in two different Applications have controlling shareholders in common (however this provision is not applicable for government owned entity);

or

(ii) the Applicant submits more than one Application for Expression of Interest;

or

(iii) such Applicant, or any associate thereof receives or has received any direct or indirect subsidy, grant, concessional loan or subordinated debt from any other Applicant, or any associate thereof or has provided any such subsidy, grant, concessional loan or subordinated debt to any other Applicant, or any associate thereof (however this provision is not applicable for government owned entity);

or

(iv) such Applicant has the same Authorised Representative for purposes of this Application as any other Applicant.

(d) An Applicant shall not be under suspension from tendering by the Government ("the Government" means Central/State Government in India, or any entity controlled by it.)

(e) Any Applicant who has been barred by the Government and the bar subsists as on the Application Due Date, would not be eligible to apply.

(f) In regard to matters relating to security and integrity of the country, the Applicant should not have been charge-sheeted by any agency of the Government of India or any State in India or convicted by a Court of Law.

(g) No investigation, related to security and integrity of the country, by a regulatory authority should be pending against the Applicant or against an Applicant's CEO or any of its Directors/ Managers/ Employees.

(h) No corporate debt restructuring, or insolvency and Bankruptcy Proceedings should have been in process and/or no unresolved debt restructuring issues with the Banks/Institutions as of 31 Jan 24. The Statutory Auditor's Certificate in this regard shall be furnished with the Application (refer to FORM-5: DEBT).

(j) The Applicant shall be subjected to the Employer's security clearance and screening.

(k) An Applicant shall provide such evidence of eligibility to the satisfaction of the Employer, as the Employer shall reasonably request.

(l) In case of an Applicant which is a subsidiary of a body corporate incorporated under the applicable laws of its origin and using credentials of parent company for Technical and Financial qualification of the EoI, a certificate will be required from the parent company to confirm that the subsidiary has access to resources of the parent company and the subsidiary can utilise the same for execution, if successful, of the services for the said project as a part of the EoI.

(m) In addition to the certificate, a performance and financial Parent Company Guarantee will be required at the Tender Stage, if successful in the EoI Stage.

2.3 Applications and Costs Thereof

2.3.1 The Applicants shall be responsible for all of the costs associated with the preparation of their Applications and their participation in the Tendering Process. The Employer will not be responsible or in any way liable for such costs, regardless of the conduct or outcome of the Tendering Process.

2.4 Right to Accept or Reject Any or All Applications/ Tenders

2.4.1 Notwithstanding anything contained in this EoI, the Employer reserves the right to accept or reject any Application and to annul the Tendering Process and reject all

Applications, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof.

2.4.2 The Employer reserves its right to call for original of the supporting documents or visit an Applicant's Offices/Project Sites (either completed or ongoing) for verification, if so deemed necessary and also to cross-check for any details as furnished by the Applicants from their previous clients/consultants etc. Applicants shall have no objection whatsoever in this regard.

2.4.3 The Employer reserves the right to make use of available in-house data/information, if any, also for evaluation of EoI Applications.

2.4.4 The Employer reserves the right to reject any Application and/ or Tender if at any time a material or factual misrepresentation is made or uncovered.

2.4.5 In case it is found during the evaluation of EoI Applications/Tenders or at any time before signing of the Contract that the Applicant has made material or factual misrepresentation, the Applicant shall be disqualified forthwith. If the material or factual misrepresentation is found when the Applicant has already been issued the Supply Order/ LOA or has entered into the Contract, as the case may be, the same shall, notwithstanding anything to the contrary contained therein or in this EoI or the RFP, be liable to be terminated.

2.5 Documents

2.5.1 **Contents of the EoI.** This EoI comprises of the following: -

- Invitation for Expression of Interest
- Section 1: Introduction
- Section 2: Instructions to Applicants
- Section 3: Eligibility and Qualification Criteria
- Section 4: Fraud & Corrupt Practices
- Section 5: Miscellaneous
- Section 6: Forms
- Annexure-1: Guidelines for conversion to INR
- Annexure-2: Format for Application for Visit to Naval Headquarters

This EoI should be read in conjunction with any Addendum issued in accordance with Clause 2.7. The Applicant is expected to examine all instructions, appendices, forms and clauses in the EoI and to furnish with the Application all information or documentation as required in the EoI.

2.6 Pre-Application Queries and Request for Clarifications

2.6.1 Applicants requiring any clarification on the EoI may notify the Employer in writing by speed post/ courier and by e-mail in accordance with Clause 1.6. In addition, they are advised to provide an editable soft copy (MS Word) of the queries/request for clarifications raised by them.

2.6.2 The Employer reserves the right not to respond to any question or provide any clarification, at its sole discretion, and nothing in this Clause shall be taken or read as compelling or requiring the Employer to respond to any question or to provide any clarification.

2.7 Amendment to Expression of Interest

2.7.1 At any time prior to the Application Due Date, the Employer may, for any reason, whether at its own initiative or in response to clarifications requested by Applicant(s), modify the EoI by the issuance of Addenda.

2.7.2 Any addendum issued shall be part of the EoI and shall be uploaded on the official website (www.indiannavy.nic.in) of the Employer.

2.7.3 To give prospective Applicants reasonable time in which to take an addendum into account in preparing their Applications, the Employer may, at its discretion, extend the Application Due date for the submission of the Application.

2.8 Preparation and Submission of Application

2.8.1 Language

The Application and all related correspondence and documents in relation to the EoI Stage process shall be in English language only. Supporting documents and printed literature furnished by the Applicant with the Application may be in any other language provided these are accompanied with translations of all the pertinent passages in the English language, duly authenticated and certified by the Applicant. Supporting materials, which are not translated into English, may not be considered. For the purpose of interpretation and evaluation of the Application, the English language translation shall prevail.

2.9 Format and Signing of Application

2.9.1 The Applicant shall provide all the information sought under this EoI. Incomplete and /or conditional Applications shall be liable to rejection.

2.9.2 The Applicant shall prepare 1 (one) original set of the Application (together with the documents required to be submitted pursuant to this EoI) and clearly marked as "ORIGINAL". In addition, the Applicant shall submit one copy of such Application and documents, which shall be marked as "COPY 1". The Applicant shall also provide scanned soft copy in PDF format thereof on Compact Disc, in envelope marked "ORIGINAL". In the event of any discrepancy between the original and the copy, the

original shall prevail. A foreign firm wishing to participate may send response by mail or depute representative/s in India.

2.9.3 The Application and its copy shall be typed or written in indelible ink. It shall be signed by the Authorised Representative of the Applicant who shall also initial each page of the Application (including each FORM) in blue ink. All the alterations, omissions, additions or any other amendments made to the Application shall be initialled by the person(s) signing the Application. Each page of the Application and attached documents should bear the seal of the Applicant. In case of printed and published documents, at-least the cover page or first page of the same shall be initialled and bear the seal of the Applicant.

2.10 Sealing and Marking of Applications

2.10.1 The Applicant shall submit the Application in two copies in the format specified in FORM-01: APPLICATION, together with the documents specified in Clause 2.10.2, and seal it in envelopes marked as "ORIGINAL" and "COPY". The envelopes shall then be sealed in an outer envelope marked as "APPLICATION".

2.10.2 The envelope shall contain:

- (a) Application for Expression of Interest (EoI) in the prescribed format (FORM-01: APPLICATION) along with supporting documents;
- (b) Particulars of the Applicant (FORM-02: PARTICULARS-1);
- (c) Details of Litigation (FORM-03);
- (d) Similar Works Experience details (FORM-04: EXP-2) along with supporting documents such as Client's Certificate etc.;
- (e) Certificate for Corporate Debt Restructuring (FORM-05);
- (f) Power of Attorney (POA) for signing of application and tender, if applicable (FORM 6);
- (g) Check List as per format given in FORM-7: CHECKLIST;
- (h) Any other document required in accordance with the EoI Document.

2.10.3 The envelopes shall clearly bear the following identification: -

"APPLICATION FOR EXPRESSION OF INTEREST: MARITIME MONITORING SOLUTION SERVICES FOR INDIAN NAVY"

and shall clearly indicate the name and address of the Applicant. In addition, the Application Due Date should be indicated on the right-hand corner of each of the envelopes.

2.10.4 The envelope shall be sent on the address mentioned in clause 1.5.

2.11 Submission of Applications

2.11.1 Applicants may either submit their Applications by Speed Post or by hand. Applications shall be received by the Employer at the address given in the above stated Clause 1.5 and no later than the deadline indicated in Clause 1.6.

2.11.2 Applications received by the Employer after the specified time (Application Due Date) mentioned in Clause 1.6 shall not be eligible for consideration.

2.12 Modifications/ Substitution/ Withdrawal of Applications

2.12.1 An Applicant may modify, substitute or withdraw its Application after submission, provided that written notice of the modification, substitution or withdrawal is received by the Employer prior to the Application Due Date. No Application shall be modified, substituted or withdrawn by the Applicant after the Application Due Date. Modified or substituted applications are to be submitted by the specified time (Application Due Date) as indicated in Clause 1.6.

2.12.2 The modification, substitution or withdrawal notice shall be prepared, sealed, marked, and delivered in accordance with Clause 2.10, with the envelope being additionally marked "MODIFICATION", "SUBSTITUTION" or "WITHDRAWAL", as appropriate.

2.12.3 Any additional information supplied subsequent to the Application Due Date, unless the same has been expressly sought for by the Employer, shall not be considered for evaluation.

2.13 Procedure for Evaluation of Applications

2.13.1 Confidentiality of Evaluation Process.

Information relating to the examination, clarification, evaluation, and recommendation for the short-listed Applicants shall not be disclosed to any person who is not officially concerned with the process or is not a retained professional advisor advising the Employer in relation to matters arising out of or concerning the Tendering Process. The Employer will treat all information, submitted as part of Application, in confidence and will require all those who have access to such material to treat the same in confidence. The Employer may not divulge any such information unless it is directed to do so by any statutory entity that has the power under law to require its disclosure or is to enforce or assert any right or privilege of the statutory entity and/ or the Employer or as may be required by law or in connection with any legal process.

2.14 Clarifications

2.14.1 To facilitate evaluation of Applications, the Employer may, at its sole discretion, seek clarifications from any Applicant regarding its Application. Such clarification(s) shall be provided within the time specified by the Employer for this purpose. Any request for clarification(s) and all clarification(s) in response thereto shall be in writing.

2.14.2 If an Applicant does not provide clarifications sought under Clause 2.14.1 above within the prescribed time, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

2.15 Evaluation of Applications and Short-listing of Applicants.

2.15.1 The Employer shall use the factors, methods, criteria, and requirements defined in Section 3. The Employer 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.

2.15.2 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be short-listed by the Employer.

2.15.3 An Applicant may be “conditionally short-listed,” that is, qualified subject to the Applicant submitting or correcting certain specified non-material documents or deficiencies to the satisfaction of the Employer.

2.15.4 Applicants that are conditionally short-listed will be so informed along with the statement of the condition(s) which must be met to the satisfaction of the Employer within stipulated time.

2.15.5 The Employer shall notify all Applicants in writing of the names of those Applicants who have been short-listed or conditionally short-listed.

2.16 Proprietary Data

2.16.1 All documents and other information supplied by the Employer or submitted by an Applicant to the Employer shall remain or become the property of the Employer. Applicants are to treat all information as strictly confidential and shall not use it for any purpose other than for preparation and submission of their Application. The Employer will not return any Application or any information provided along therewith.

SECTION 3

3 Eligibility and Qualification Criteria. This Section contains all the methods, criteria, and requirements that the Employer 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.

3.1 Requirement. Comprehensive coverage and persistent surveillance (minimum 12 hours revisit) in respect of *IN* identified Areas of Interests utilising suitable space-based assets including Synthetic Aperture Radar (SAR) using appropriate mix of Low, Medium and High-Resolution Imagery, Electro Optical (EO) imagery, AIS, Electronic Intelligence (ELINT) and Radio Frequency (RF) intercepts.

3.2 Areas of Interest

3.2.1 Areas of Interest promulgated for persistent surveillance are as elaborated below: -

| Areas | Generic Location | Lat / Long | Dimensions (km) |
|--------------|-------------------------|---|------------------------|
| AOI 1 | Gulf of Aden 1 | Exact area coordinates will be subsequently promulgated | 500 x 400 |
| AOI 2 | Gulf of Aden 2 | Exact area coordinates will be subsequently promulgated | 500 x 400 |
| AOI 3 | Makaran Coast | Exact area coordinates will be subsequently promulgated | 500 x 500 |
| AOI 4 | Malacca | Exact area coordinates will be subsequently promulgated | 500 x 500 |
| AOI 5 | Oman Coast | Exact area coordinates will be subsequently promulgated | 500 x 500 |
| AOI 6 | Gulf of Oman | Exact area coordinates will be subsequently promulgated | 500 x 380 |
| AOI 7 | Off Sunda | Exact area coordinates will be subsequently promulgated | 500 x 450 |

3.2.2 In addition to the seven Areas of Interest, reports on *IN* identified Vessels of Interest in AOI (on demand), providing updates (Position, Course, Speed and other relevant inputs) on identified vessels should be made available as and when it is requested by the User.

Overall Area of Interest as defined for the purpose of generation of reports in Indian Ocean Region

38°07'49"N, 123°20'51"E
 34°48'17"S, 123°20'51"E
 34°48'17"S, 022°04'35"E
 33°23'33"N, 022°00'10"E

3.3 Generation of Report

3.3.1 Generation of comprehensive report every 12 hours commencing 1000h (IST) on the SAR/RF/EO imagery post correlation with AIS in the identified areas along with summary of Dark Ships (vessels not transmitting on AIS) in the given areas. The report should include: -

- (a) Time of Imagery.
- (b) Time of Report generation.
- (c) Total number of Vessels detected.
- (d) Number of vessels correlated with AIS.
- (e) Number of dark dhips/ VsOI.
- (f) Inputs on dark ships/ VsOI.
 - (i) Positional input (Lat Long).
 - (ii) Length and Course.
 - (iii) Error Margin.
 - (iv) Identification/ Classification (Type of vessel eg warship, fishing vessel, merchant vessel etc.).
 - (v) Other parameters (RF, AIS etc.).
- (g) Format of data being shared (KML/ KMZ/ CSV/Geojson file).
- (h) The comprehensive report, as brought out above, should also be simultaneously followed by an update on the visualisation tool depicting all areas with the vessels, including dark ships.

3.3.2 The 12-hourly report, as brought out vide Clause 3.3.1, should provision for details of each of the ship/ vessel/ contact captured in the imagery (*separate analysis for each acquisition to be made available*). There should also be provision for automatic periodic update on the visualisation tool provided by the Seller.

3.4 Correlation. The data being captured by satellite viz. EO, SAR and RF should be correlated with the available data for identification of dark ships/ VsOI. Thereafter the report should be generated using data analytics to detect and eventually predict patterns.

3.5 Change in Reporting Areas. The Areas of Interest are subjected to change considering the dynamics of the Maritime Domain. Areas promulgated for coverage are to be flexible in terms of dimensions of the area and could be altered on User's request with a prior notice of 48 hours. This would imply that the area could be shifted

geographically or its orientation/ dimensions could be changed to meet the given operational requirement.

3.6 Hardware

3.6.1 System Hardware. Provisioning of requisite hardware comprising system server(s), display units and software facilitating visualisation tool/ feature with requisite GUI for depiction/ display of the generated comprehensive report and visualising the correlated and analysed data of all satellite acquisitions on a single platform.

3.6.2 The visualisation tool/ GUI will be the interface to display the data processed in such a manner to the user that all possible user queries including satellite data information, correlated data, only AIS data and generation of correlated reports in different formats is available.

3.6.3 The visualisation tool is to have a feature of retrieving historical data (AIS/ EO/ SAR) for correlation with all types of satellite imagery at any time. Filtering of data should be possible using parameters on the tool. The visualisation tool should also allow easy search and retrieval, including that of historical data.

3.6.4 The visualisation tool/ GUI is to be provided with minimum 15 separate login Ids (not geographically bound) that could be operated simultaneously. The security of data/ information being conveyed over internet needs to be safeguarded with requisite security measures by the vendor.

3.6.5 The visualisation tool is to be delivered along with simple easy to understand tutorials in used format. The format of data available should be compatible with the existing *IN* systems catering for seamless exchange of data including visualisation. Further, the correlation of data from multiple sources including AIS should be in conformity with the *IN*'s methods so as to avoid conflict/ duplicity of data on visualisation tool.

3.6.6 **Data Archival.** An archival/ library of all type of images acquired for *IN* is required to be maintained to ensure retrieval of any historical data at any point of time with geographical location.

3.7 Resolution of Imagery

3.7.1 The resolution of imagery used shall be such that it is **able to detect and identify targets (moving or stationery) of length 25 metres and more**. The resolution of imagery is to be specified in the response submitted by the bidder.

3.8 Duration. The Maritime Monitoring Solution Services are **initially being sought by the Indian Navy for a period of one year**. Further extension of services would be at the sole discretion of the Buyer.

3.9 Summary of Operational Requirements

3.9.1 The operational requirements are summarised in the table below: -

| Ser | Requirement | Compliance Requirements |
|-----|---|---------------------------------|
| (a) | Coverage of Areas of Interest in IOR | Applicant must meet requirement |
| (b) | Generation of comprehensive reports every 12 hours (as per clause 3.3.1) | Applicant must meet requirement |
| (c) | Coverage utilising suitable space-based assets including Synthetic Aperture Radar (SAR) using appropriate mix of Low, Medium and High-Resolution Imagery, Electro Optical (EO) imagery, AIS, Electronic Intelligence (ELINT) and Radio Frequency (RF) intercepts. | Applicant must meet requirement |
| (d) | Imagery requirement per day – (i) Minimum two images (EO/ SAR) per day in each of the seven areas for persistent surveillance. (ii) High resolution imagery in each of the seven areas to identify Dark Ships (ships not transmitting on AIS) of length 25 meters and greater. (iii) RF inputs in each of the seven areas for correlation. (iv) Additional inputs in the overall area of interest defined as per Clause 3.2.2 on requirement basis to report Vessels of Interest. | Applicant must meet requirement |
| (e) | Visualisation Tool (with 15 log-in IDs) for usage within different User premises to represent data for ease of interpretation by the end user with automatic population of imagery and correlated data | Applicant must meet requirement |
| (f) | Suitable archival facility to store and retrieve data for analysis | Applicant must meet requirement |

3.9.2 The eligibility criteria is summarised in the table below: -

| Eligibility and Qualification Criteria | | | Compliance Requirements | Documentation |
|---|--|---|--------------------------------|--------------------------------|
| No. | Subject | Requirement | Applicant | Submission Requirements |
| 1 | ELIGIBILITY | | | |
| 1.1 | Conflict between Single Entity Applicant and Specialised Subcontractor | No Applicant should be a Specialised Subcontractor of another Applicant or vice versa in accordance with Clause 2.2.1(a) | Must meet requirement | FORM-01: APPLICATION |
| 1.2 | Conflict of Interest | No conflicts of interest in accordance with Clause 2.2.1(c) | Must meet requirement | FORM-01: APPLICATION |
| 1.3 | Suspension Based on Execution of Bid Securing Declaration by the Government | Not under suspension based on execution of a Bid Securing Declaration in accordance with Clause 2.2.1(d) | Must meet requirement | FORM-01: APPLICATION |
| 1.4 | Barred by Government | Not barred by Government as on the Application Due Date in accordance with Clause 2.2.1(e) | Must meet requirement | FORM-01: APPLICATION |
| 1.5 | Not Charge Sheeted, or Convicted by a Court of Law | Not charge sheeted by any agency of the Government / convicted by a court of law in relation to Security and Integrity in accordance with Clause 2.2.1(f) | Must meet requirement | FORM-01: APPLICATION |
| 1.6 | No Investigation, related to Security and Integrity of the Country | No investigation, related to security and integrity, by a regulatory authority, is pending in accordance with Clause 2.2.1(g) | Must meet requirement | FORM-01: APPLICATION |

SECTION 4

4 Fraud and Corruption Practices

4.1 The Applicants and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Tendering Process. Notwithstanding anything to the contrary contained herein, the Employer may reject an Application without being liable in any manner whatsoever to the Applicant if it determines that the Applicant has, directly or indirectly or through an agent, engaged in corrupt, fraudulent, coercive, collusive or undesirable practice in the Tendering Process.

4.2 Without prejudice to the rights of the Employer under Clause 4.1 hereinabove, if an Applicant is found by the Employer to have directly or indirectly or through an agent, engaged or indulged in any corrupt, fraudulent, coercive, collusive or undesirable practice during the Tendering Process, such Applicant shall not be eligible to participate in any tender or EoI issued by the Employer during a period of 2 (two) years from the date such Applicant is found by the Employer to have indulged in any corrupt, fraudulent, coercive, collusive or undesirable practice, as the case may be.

4.3 For the purposes of this Section 4, the following terms shall have the meaning hereinafter respectively assigned to them: -

- (a) “Corrupt practice” means the offering, receiving, or soliciting, directly or indirectly, of anything of any value to influence the actions of a public official in the selection process or in contract execution;
- (b) “Fraudulent practice” means a misrepresentation or omission of facts in order to influence a selection process or the execution of a contract;
- (c) “Collusive practice” means a scheme or arrangement between two or more Applicants, with or without the knowledge of the Employer, designed to establish prices at artificial, non-competitive levels; and
- (d) “Coercive practice” means harming or threatening to harm, directly or indirectly, person or their property to influence their participation in a procurement process or affect the execution of a contract.

SECTION 5**5 MISCELLANEOUS**

5.1 The Applicants shall ensure that all persons related to the Eol Application have noted that the Indian Official Secret Act 1923 (XIX of 1923) applies to them and continues to apply perpetually, even after the Eol Stage process is over. An undertaking to this effect should be taken by the Applicant from all persons related to his Eol Application.

5.2 The Tendering Process shall be governed by, and construed in accordance with, the laws of India and the courts in the State of New Delhi shall have exclusive jurisdiction over all disputes arising under, pursuant to and/ or in connection with the Tendering Process.

FORM-01: APPLICATION

APPLICATION FOR EXPRESSION OF INTEREST (EoI)

(Refer Clause 2.10.1)

Dated:

To,

The Principal Director,
Directorate of Networks and Space Operations
Room no. 33, C Wing, Sena Bhawan
New Delhi - 110001

Subject: Application for EoI for Space Based Maritime Monitoring Solution Services for Indian Navy

Dear Sir,

1. With reference to your EOI No. DNSO/Space/112/1 of 2024 dated February 2024, we, having examined the EoI document and understood its contents, hereby submit our Application for Expression of Interest (EoI) for the aforesaid services. The Application is unconditional and unqualified.
2. We acknowledge that the Employer will be relying on the information provided in the Application and the documents accompanying the Application for short-listing of the Applicants for the aforesaid work, and we certify that all information provided in the Application and Forms submitted with the Application is true and correct; nothing has been omitted or concealed which could render such information misleading, and all documents accompanying such Application are true copies of their respective originals.
3. This statement is made for the express purpose of short-listing as a Tenderer for the aforesaid works.
4. We shall make available to the Employer any additional information it may find necessary or require to supplement or authenticate our Application.
5. We acknowledge the right of the Employer to reject our Application without assigning any reason or otherwise and hereby waive, to the fullest extent permitted by applicable law, our right to challenge the same on any account whatsoever.
6. We declare that: -
 - (a) We have examined and have no reservations to the EoI document, including any addendum, corrigendum issued by the Employer;

(b) We, pursuant to Clause 2.2.1 (a) of the EoI Document, are not a Specialised Subcontractor for any other Applicant applying for this EoI.

(c) We do not have any conflict of interest pursuant to Clause 2.2.1 (c) of the EoI Document;

(d) We have not directly or indirectly or through an agent engaged or indulged in any corrupt, fraudulent, coercive, collusive or undesirable practice, as defined in Section 4 of the EoI Document, in respect of any Tender or Request for Proposal issued by or any agreement entered into with the Employer or any other Public Sector Enterprise or any Government, Central or States of India;

(e) We hereby certify that we have taken steps to ensure that in conformity with the provisions of Section 4 of the EoI Document, no person acting for us or on our behalf within our control and knowledge has engaged or will engage in any corrupt, fraudulent, coercive, collusive or undesirable practice; and

(f) We have not been suspended by the Government of India or any State Government in India, as a result of the execution of a Tender-Securing Declaration.

(g) We are not barred by the Government of India or any State Government in India and no bar subsists as on the Application Due Date.

(h) In regard to matters relating to security and integrity of the country, we have not been charge-sheeted by any agency of the Government of India or any State in India or convicted by a Court of Law.

(j) To the best of our knowledge and belief no investigation, related to security and integrity of the country, by a regulatory authority is pending either against us or against our CEO or any of our Directors/ Managers/ Employees.

(k) We undertake that in case due to any change in facts or circumstances during the EoI Stage / Tendering Process, we are attracted by the provisions of disqualification in terms of the provisions of this EoI, we shall intimate the Employer of the same immediately.

7. We understand that you may cancel the EoI process at any time and that you are neither bound to accept any Application that you may receive nor to invite the Applicants for Tendering for the works, without incurring any liability to the Applicants, in accordance with Clause 2.4.1 of the EoI document.

8. Checklist in FORM-7: CHECKLIST, duly filled and signed, is enclosed.

For and on behalf of.....*[Name of the Applicant]*

.....
(Signature)

.....
(Seal of the Applicant)

.....
(Name of the person duly authorized to sign the Application on behalf of the Applicant)

.....
(Designation of the person signing the Application)

.....
(Date DD/MMM/YYYY)

FORM-02: PARTICULARS-1**PARTICULARS OF THE APPLICANT**

(Refer Clause 2.10.2(b))

Subject: Application for

1.
 - (a) Applicant's Name:
 - (b) Applicant's Company registration:
 - (c) Applicant's year of incorporation:
 - (d) Applicant's Legal Address in country of registration:
 - (e) Address for Correspondence:
2. Particulars of the Authorised Representative of the Applicant:
 - (a) Name:
 - (b) Designation:
 - (c) Company:
 - (d) Address:
 - (e) Telephone & Fax Number:
 - (f) E-Mail Address:
3. Ownership Structure:
 - (a) Listed/Unlisted
 - (b) Promoter Holding
 - (c) Indirect Govt Holding
 - (d) Percentage of Independent Directors in Board
 - (e) Presence of Foreign Promoter Investment

Attached are copies of original documents of:

- (i) (a) Memorandum of Association and (b) Article of Association, or equivalent documents. In case of a partnership firm a copy of the partnership deed shall be submitted.
- (ii) In case of government-owned entity documents establishing:
 - (a) Legal and financial autonomy
 - (b) Operation under Commercial Law
- (iv) Organisational Chart and List of Board of Directors.

For and on behalf of.....*[Name of the Applicant]*

.....
(Signature)

.....
(Seal of the Applicant)

.....
(Name of the person duly authorized to sign the Application on behalf of the Applicant)

.....
(Designation of the person signing the Application)

.....
(Date DD/MMM/YYYY)

FORM-03: LITIGATION*(Eligibility and Qualification Criteria No. 2.2)***PENDING LITIGATION****Subject: Application for EoI for Space Based Maritime Monitoring Solution Services for Indian Navy***(The following table shall be filled in for the Applicant)*Applicant's Name: *(insert full name)*.....Date: *(insert day, month, year)*.....**Details of Pending Litigation up to 31 August 2023, in accordance with Section 3, Eligibility and Qualification Criteria No. 2.2 are as follows:**

| Date, month & Year of dispute | Amount in dispute (currency), INR Equivalent (exchange rate*) | Contract Identification | Total Contract Amount (currency), INR Equivalent (exchange rate*) |
|--|--|---|--|
| <i>(insert date)</i> | <i>(insert amount)</i> | <i>Contract Identification: [indicate complete contract name, number, date and any other identification]</i> <i>Name of Employer: [insert full name]</i> <i>Address of Employer: [insert street/city/country]</i> <i>Matter in dispute: [indicate main issues in dispute]</i> <i>Party who initiated the dispute: [indicate "Employer" or "Contractor"]</i> <i>Status of dispute: [Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i> | |

According to the information, explanations and documents provided by the Applicant to us, we certify that the above information is correct to the best of our knowledge and belief.

.....(Signature of the Statutory Auditor)
 (Full Name of the Statutory Auditor)
 (Name of the Statutory Auditor's Firm)
(Complete Address of the Statutory Auditor's Firm)
 (Telephone/fax numbers, including country and city codes)
 (E-mail of the Statutory Auditor)
 (Seal of the Statutory Auditor)

Membership No. of the Statutory Auditor:

UDIN No.:

Notes:

(i) The Applicant shall provide accurate information about all pending litigation and / or arbitration cases resulting from contracts completed or ongoing under its execution.

(ii) The Applicant shall also provide details of pending litigation referred in paragraph (i) above, which has been accounted for in the submitted latest audited Balance Sheet as follows:

(a) The claims and suits lodged against the company for which the company has not accounted for the liability in its books as the matter is pending with arbitration/ courts **(Please indicate the page no. of the Audited Balance Sheet where these amounts have been reflected).**

(b) The claims and suits lodged by the company against customers/ supplies for recovery of dues and the matter is pending with arbitration/ courts and the company has accounted for the claims as receivable in its books of account considering the decision will be in favour of the company. **(Please indicate the page no. of the Audited Balance Sheet where these amounts have been reflected).**

(iii). *Refer Annexure-1 for source of exchange rate.

FORM-04**SIMILAR WORKS EXPERIENCE***(Eligibility and Qualification Criteria No. 3.9)***Subject: Application for EoI for Space Based Maritime Monitoring Solution Services for Indian Navy***(The following table shall be filled in for contracts performed by the Applicant)*Applicant's Name: *[insert full name]*

| Similar work No. <i>[insert number] of [insert number of similar works required]</i> | Information | | |
|---|---|--|--|
| Description of the similarity in accordance with similar work as defined in Section 3. | | | |
| Contract Identification | <i>[insert contract name and number, if applicable]</i> | | |
| Award date | <i>[insert day, month, year]</i> | | |
| Commencement date | <i>[insert day, month, year]</i> | | |
| Completion date | <i>[insert day, month, year]</i> | | |
| Role in Contract <i>[check the appropriate box]</i> | Prime Contractor <input type="checkbox"/> | Member in Joint Venture/ Consortium of Contractor <input type="checkbox"/> | Sub-contractor <input type="checkbox"/> |
| Total Contract Amount | <i>[insert total contract amount in local currency]</i> | | INR <i>[insert Exchange rate and total contract amount in INR equivalent]*</i> |
| Total Contract Amount after accounting for escalation as per provision given below ** | <i>[insert total contract amount in INR after escalation]</i> | | |
| If member in a joint venture/Consortium or sub-contractor, specify participation in total contract amount | <i>insert a percentage amount]</i> | <i>[insert total contract amount in local currency]</i> | <i>[insert exchange rate and total contract amount in INR equivalent]*</i> |
| Employer's Name: | <i>[insert full name]</i> | | |

| Similar work No. <i>[insert number] of [insert number of similar works required]</i> | Information |
|--|--|
| Address: Telephone/fax number E-mail: | <i>[indicate street / number / town or city / country] [insert telephone/fax numbers, including country and city area codes] [insert e-mail address, if available]</i> |

{The Similar Works experience(s) of Group Companies, or Sister Companies, Concessionaires and Developers shall not be considered for evaluation except in cases of parent companies, where the applicant is in full compliance to the condition stated under clause 2.2.1(m) & (n). The Applicants are advised to strictly adhere to this requirement and submit the Similar Works experience(s) of the Applicant only (see Section 3, Eligibility and Qualification Criteria No. 4.2)}.

For and on behalf of.....*[Name of the Applicant]*

.....
(Signature)

.....
(Seal of the Applicant)

.....
(Name of the person duly authorized to sign the Application on behalf of the Applicant)

.....
(Designation of the person signing the Application)

.....
(Date DD/MMM/YYYY)

FORM-5: DEBT**CERTIFICATE FOR CORPORATE DEBT RESTRUCTURING***(Eligibility and Qualification Criteria No. 2.2.1(h))***Subject: Application for EoI for Space Based Maritime Monitoring Solution Services for Indian Navy****TO WHOM IT MAY CONCERN**

This is to certify that *[Legal name of the Applicant and address]:*

(i) is not under the process of Resolution Plan of Debt Restructuring as per applicable law in the Applicant's country *[name of the country]* *,

or

(ii) is not under the process of 'Insolvency and Bankruptcy' proceedings as per applicable law in the Applicant's country *[name of the country]* *,

or

(iii) was under the process of Resolution Plan of Debt Restructuring and has resolved all debt restructuring issues with the Banks/Institutions as per applicable law in the Applicant's country *[name of the country]* *,

or

(iv) is under the process of 'Insolvency and Bankruptcy' proceedings as per applicable law in the Applicant's country *[name of the country]* *,

as on 31 March 2023.

(* Strike through not applicable.)

According to the information, explanations and documents provided by the Applicant to us, we certify that the above information is correct to the best of our knowledge and belief.

.....*(Signature of the Statutory Auditor)*
 *(Full Name of the Statutory Auditor)*
 *(Name of the Statutory Auditor's Firm)*
*(Complete Address of the Statutory Auditor's Firm)*
 *(Telephone/fax numbers, including country and city codes)*
 *(E-mail of the Statutory Auditor)*
 *(Seal of the Statutory Auditor)*

Membership No. of the Statutory Auditor:

UDIN No.:

Note:

1. *The information in above prescribed format (FORM-5: DEBT) shall be certified by the Statutory Auditors of the Applicant or in case the accounts of the Applicant are not required to be statutorily audited, certified in accordance with local legislation.*
2. *In case, the Applicant, is from India, the applicable law is “The Insolvency and Bankruptcy Code 2016 and amendments thereof” for the purpose of this form.*

FORM-6: POA**FORMAT FOR POWER OF ATTORNEY FOR SIGNING OF APPLICATION AND TENDER***{Refer Clause 2.10.2(F)}*

Know all men by these presents, We..... *[name of the firm and address of the registered office]* do hereby constitute, nominate, appoint and authorise Mr/ Ms *[name]*, son/daughter/wife of 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 submission of our application for EoI and submission of our Tender for the 'Interface Works – Dredging and Revetment (the "Works") proposed by the (the "Employer") including but not limited to signing and submission of all applications, Tenders and other documents and writings, participate in Pre-Applications and other conferences and providing information/ responses to the Employer, representing us in all matters before the Employer, signing and execution of all contracts including the Contract Agreement and undertakings consequent to acceptance of our Tender, and generally dealing with the Employer in all matters in connection with or relating to or arising out of our Tender for the said Contract and/ or upon award thereof to us and/or till the entering into of the Contract Agreement with the Employer

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

IN WITNESS WHEREOF WE,, THE ABOVE-NAMED PRINCIPAL HAVE EXECUTED THIS POWER OF ATTORNEY ON THIS DAY OF 20....

For

(Signature, name, designation and address)

Accepted

.....

(Signature)

(Name, Title and Address of the Attorney)

Witnesses:

1.

Notes:

1. *The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required, the same should be under common seal affixed in accordance with the required procedure.*
2. *Wherever required, the Applicant should submit for verification the extract of the charter documents and documents such as a board or shareholders' resolution/ power of attorney in favour of the person executing this Power of Attorney for the delegation of power hereunder on behalf of the Applicant.*

FORM-7: CHECKLIST*{Refer Clause 2.10.2(g)}***CHECK LIST FOR THE INFORMATION TO BE FURNISHED BY THE APPLICANT
ALONG WITH APPLICATION****Subject: Application for EoI for Space Based Maritime Monitoring Solution
Services for Indian Navy**

| No. | Description | Ref. | Put \sqrt or X as Applicable | Page No. | Remarks |
|------------|--|--|--|---------------------|----------------|
| 1. | One original set of Application in hard bound | Clause 2.9.2 & 2.9.3 | | | |
| 2. | Two copies of Application in hard bound | Clause 2.9.2 & 2.9.3 | | | |
| 3. | FORM-01: APPLICATION - Application for Expression of Interest | Clause 2.10.2(a) | | | |
| 4. | FORM-02: PARTICULARS-1 - Particulars of the Applicant | Clause 2.10.2(b) | | | |
| 5. | Copy of documents establishing legal, financial autonomy and operation under commercial law, in case of government-owned entity. | FORM-02: PARTICULARS-1 | | | |
| 6. | FORM-03: LITIGATION | Clause 2.10.2(c) | | | |
| 7. | FORM-04: Similar Works Experience | Clause 2.10.2(d) | | | |
| 8. | FORM-5: DEBT - Certificate for Corporate Debt Restructuring; duly certified by a Statutory Auditor or certified in accordance with local legislation | Clause 2.10.2(e), read with Note of FORM-5. | | | |
| 9. | FORM-6: POA- Power of Attorney for signing the Application & Tender (In Original) | Clause 2.10.2(f) | | | |
| 10. | Extract of charter documents and documents such as a board or shareholder's resolution/power of attorney in favour of the person executing Power of Attorney for the delegation of power | Clause 2.10.2(f), read with Note 2 of FORM-6: POA. | | | |

| No. | Description | Ref. | Put \checkmark or X as Applicable | Page No. | Remarks |
|-----|--|------------------|-------------------------------------|----------|---------|
| | on behalf of the Applicant | | | | |
| 11. | FORM-7: CHECKLIST | Clause 2.10.2(g) | | | |
| 12. | Any other document required to be submitted as per the EoI | Clause 2.10 (h) | | | |

Note: The Applicants are advised NOT to submit company brochures, profile or similar literature of their organisation, because such material shall not be considered for evaluation.

ANNEXURE-1**Guidelines for Conversion to INR**

Wherever requires an Applicant to state a monetary amount, Applicants should indicate the INR equivalent using the rate of exchange determined as follows:

1. For the purpose of conversion of foreign currency to Indian rupees (INR), the Applicants shall use the reference rates of foreign currency published by:

(a) Reserve Bank of India (www.rbi.org.in).

(b) In case the exchange rate is not published by Reserve Bank of India, then the “selling rate” of such currency shall be taken from the web site: <http://www.oanda.com>.

(c) In case a particular currency rate is not available on the above website also, then the “mid-market” rate of such currency shall be taken from the following internet web site: <http://www.xe.com>.

2. Any error in determining the exchange rates in the Application may be corrected by the Employer.

ANNEXURE-2**FORMAT FOR APPLICATION FOR VISIT TO NAVAL HEADQUARTERS**

1. Name:
2. Occupation:
3. Sex:
4. Firm's Name:
5. Date of Birth:
6. Nationality:
7. Parent's Name:
8. Present Address:
9. Permanent Address:
10. Addresses in India:
11. Passport No.:

| | |
|-----------------------|---------------|
| (a) Place of Issue | Date of Issue |
| (b) Issuing Authority | Valid up to |
12. Whether previously visited */N* Ships/ Establishments:

| | | |
|-------|----------------|---------|
| Place | Date of Visits | Purpose |
|-------|----------------|---------|

13. Proposed date(s) of visit:
14. Purpose of visit:
15. Mobile No.

Note: In case of foreign nationals, scanned copy of valid passport is required to be attached and for Indian nationals, scanned copy of government issued valid Photo ID proof is required to be attached.