

HEAD OFFICE

Star House, C-5, 'G' Block
Bandra-Kurla Complex, Bandra (East), Mumbai – 400 051

EMPANELMENT OF LENDERS' INDEPENDENT ENGINEER (LIE)

LIEs interested in getting empanelled with Bank of India and satisfying the eligibility criteria appended herewith in the **Annexure-A**, may apply for empanelment as LIE in the application format given in **Annexure – B** along with the supporting documents.

The digitally signed application (preferably), complete in all respects, along with all supportive documents (preferably in soft copy) as stated in the Application may be submitted from **1st July 2022 to 30th September 2022** at the BOI Zonal Office, nearest to the registered/administrative office of the applicant.

Applications, which are not duly filled up and/ or lacking in required supporting documents, shall not be acknowledged and shall be treated as 'NOT RECEIVED.' Any application received outside the above mentioned cut-off dates shall not be considered for the process of empanelment.

LIE/firms who are already empaneled with us will continue to be empanelled till the date of expiry of their present empanelment. However, such LIE/firms are expected to apply for fresh empanelment (as the process of renewal of an existing empanelment is now discontinued) during the above said time window falling just before the date of expiry of their existing empanelment as LIE.

The LIEs found suitable for empanelment shall be intimated through email/ letter and the empanelment shall be valid for a period of three years, unless specifically delisted by the Bank at its discretion.

BOI shall have the right to cancel the empanelment process itself at any time, without thereby incurring any liabilities to the affected applicants.

All applicants are requested to go through the annexures for eligibility criteria and other norms before applying. Any query in this regard may be sent by email to headoffice.tad@bankofindia.co.in.

Disclaimer:

BOI is not committed either contractually or in any other way to the applicants whose applications are accepted. The issue of this request for empanelment does not commit or otherwise oblige BOI to proceed with any part or steps of the process, subject to any law to the contrary and to the maximum extent permitted by law. BOI and its directors/officers/employees/contractors/agents and advisors disclaim all liabilities (including liabilities by reason of negligence) from any loss or damage, cost or expense incurred or arising by reasons of any person using the information and whether caused by reasons of any error, omission or misrepresentation in the information contained herein or suffered by any person acting or refraining from acting because of any information contained herein.

A. Eligibility Criteria for Empanelment of Consultants:

1. Educational Qualification:

The applicant must furnish required details/ documentary evidence to conclusively demonstrate availability of technically qualified staff with it, for undertaking assignments as LIE. Minimum qualification of such technically qualified staff is an Engineering degree (B.Tech / B.E) or an equivalent qualification.

2. Experience:

LIEs will be empanelled under two categories:

- I. **Category A** – LIEs empanelled under category A shall be eligible to act as an LIE for any project irrespective of the project cost.

Experience required: Minimum 5 years of experience in undertaking LIE assignments.

- II. **Category B** – LIEs empanelled under category B shall be eligible to act as an LIE for projects costing upto Rs. 50 cr. only.

Experience required: Minimum 5 years of experience in any industry.

Any applicant having only industrial experience and no prior experience in undertaking LIE assignments will be considered only for empanelment on the panel of LIEs under category B and empanelment will only be for that particular sector in which applicant is professionally experienced.

The engineer should provide the Curriculum Vitae and Certificates regarding educational qualifications and experience. CVs of technically qualified staff should include list of LIE assignments carried out by them in the past.

3. Constitution:

The Applicant may be an Individual/ Proprietorship/ AOP/ Partnership firms/ Public/ Private limited companies, Limited Liability Partnership.

4. Financial Status/ Background:

Status reports from Bankers should be submitted and should be satisfactory. **Bank status report from a Banker should clearly mention that the operation of the account of the applicant/ consultant with the Bank is satisfactory.**

Copies of last 2 years IT returns in case of individual or copies of last 2 years financial statements in case of firms/companies (not applicable for newly formed firms) are to be submitted. In case of individuals who were previously employed, satisfactory report from previous employer may be obtained.

5. Professionals on the rolls:

Professionals/Technically qualified staff with Engineering degree or an equivalent qualification should be available on the rolls of the LIE/firm or on retention basis for carrying out LIE assignments. Necessary undertaking regarding association of professionals with the firm needs to be provided at the time of submission of application. Any change in professionals shall have to be communicated immediately to the Bank along with supporting documents regarding educational qualification and experience to the bank for updating our records.

6. Sample copy of LIE reports:

The LIE wishing to get empaneled with us under Category- A shall produce one LIE Report in each sector (preferably soft copy) the Applicant requests to get empanelled for, for our perusal, along with application for empanelment. Any report submitted shall not be older than three years.

One sample LIE Report, if available may be provided by the LIE wishing to get empaneled under Category- B.

7. Industries/ sectors of expertise:

The applicant should specify the Industry/ Sectors for which empanelment is sought as LIE.

During the period of empanelment, if there is any addition of technical staff experienced in any sector other than the sectors the LIE/firm is already empanelled for, the same may be informed with request (to be made during the said time window) to empanel for additional industries/sectors, while providing a sample LIE report for that sector (if desirous of getting empanelled under category A).

8. Locations/ area of assignments:

The LIE/ firm should clearly mention the locations for which LIE assignments can be undertaken by them.

9. Empanelment letters with other banks:

The LIE/ firm should produce LIE empanelment letters/ assignment letters with other Banks and/ or leading corporate houses, if any, which is desirable.

10. Affiliations:

It is desirable that LIE/ firms seeking empanelment with us have affiliation with professional bodies like IEEE (Institute of Electrical and Electronics Engineers), Institution of Engineers, International Engineering Alliance, Quality Council of India etc.

11. Consultancy Charges:

The consultant should indicate the charges/fees and other conditions, if any, for each of the services offered separately. The charges/fees of the consultant should be reasonable and in line with the market trend. (The service charges/fees indicated would serve only as a reference and actual charges are to be negotiated at the time of awarding a specific assignment.)

B. Validity of empanelment

This empanelment of LIE will be valid for a period of three years from the date of empanelment, unless specifically de-empanelled by the Bank at its discretion in the interim.

APPLICATION FOR EMPANELMENT OF LIE

Annexure-B

1. Basic Information

| | |
|---|--|
| Name | |
| Address of the Registered Office | |
| Constitution | Individual/ Proprietorship/ AOP/ Partnership firms/ Public/ Private limited companies, Limited Liability Partnership |
| Date of Registration/Incorporation | |
| Details of Offices/Branches of the firm/company | |
| PAN No. | |
| GST No. | |
| Promoter/Key Managerial Person | Contact Person |
| Name Mobile No Land line No Email | Name Mobile No Land line No Email |
| Details of the Subsidiary/Group companies | |
| Existing Banker Details | |

2. Applicant Financial information as on 31st March of previous financial year

| | |
|-------------------|--|
| Paid up Capital | |
| Net Worth | |
| Income/Revenue | |
| PAT | |
| Borrowings | |
| Debt/Equity Ratio | |

3. Category of LIE applied for: ---- (A/B)

4. Type of Industry, Size (Project outlay) and Location for which empanelment is sought:

| Industry | Sub Activity | Project Outlay | Experience | Location |
|----------|--------------|----------------|------------|----------|
| | | | | |
| | | | | |

5. Whether Empanelled with any Banks/ Financial Institutions? If Yes, please give details

(copies of letters of empanelment to be enclosed)

| Name of the Bank/FI | Empanelment since |
|---------------------|-------------------|
| | |
| | |

6. Particulars of Specialist Technical staff

| S.No. | Name | Educational Qualification | Employment Type (Full/part time / associate / retention basis) | Designation | Experience (in years) | Area/Sector of Expertise |
|-------|------|---------------------------|--|-------------|-----------------------|--------------------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

(Necessary enclosures to be submitted)

7. Details of Previous LIE assignments done by the firm:

| Month and year of Completion of Assignment | Name of the Client (preferably PSBs) | Name of the Account/ customer of the Client | Project cost | Fees Charged |
|--|--------------------------------------|---|--------------|--------------|
| | | | | |
| | | | | |
| | | | | |

(Enclose the sample copies of LIE reports)

8. Indicative Consultancy Charges/Fees:

| Service Offered | Charges/Fees (in relation to Project Cost) |
|-----------------|--|
| | |
| | |
| | |

9. Details of Registration/Membership with national/international Professional bodies/ organizations (such as IEEE, Institute of Engineer, Quality Council of India etc)

| Name of the Professional bodies/organizations | Registered/Member since |
|---|-------------------------|
| | |
| | |
| | |

10. Furnish the details if you have been de-empanelled/blacklisted by any Bank/FI/Organization in the past:

11. Any other infrastructure that the Applicant would like mention:

12. Pre-requisites for empanelment as LIE

- a. Educational Qualification - Minimum B.E. / B. Tech or equivalent qualification in the field of service offered.
- b. Experience - Minimum 5 years of experience in undertaking LIE assignments (for category A) and minimum 5 years of experience in any industry (for category B).
- c. Constitution - Individual/ Proprietorship/ AOP/ Partnership firms/ Public/ Private limited companies, Limited Liability Partnership.
- d. Registration / affiliation with professional bodies is desirable.
- e. Satisfactory status reports from Bankers of the Applicant.
- f. Empanelment by other banks/FIs is desirable.

13. Obligations of empaneled LIEs (to be included in the Application submitted)

- i) LIE/firm will undertake to adhere to the scope of LIE Report, as brought out in Annexure - I or as advised by the assignment awarding authority.
- ii) LIE Reports prepared by the LIE/firms need to be authenticated (along with signature and stamp of firm) by at least one of the engineers, mentioning their name, designation and educational qualification. Needless to mention that professionals who are authenticating the LIE report should have actually carried out the site inspection and should have a clear understanding about the project.
- iii) LIE/ firm should not outsource the assignments to any other outside LIE/firm/ entity. In case any help is taken from external experts, then the LIE Report should be jointly signed by that external expert, clearly bringing out the role/scope of his/her involvement in the report, along with Engineer/s (associated with the LIE/firm) involved in LIE assignment.
- iv) Any query/ doubts regarding observations/ comments mentioned in LIE Report needs to be clarified/ attended by the professionals meticulously.
- v) LIE shall inform the Bank (TAD-HO) of any change in technical staff who had been mentioned or whose technical qualifications were taken to satisfy the eligibility criteria, at the time of empanelment.

14. List of documents to be enclosed:

- a. Memorandum & articles of association/partnership deed of company / partnership firm / LLP.
- b. PAN Card of the individual/firm/company, GST Registration Certificate of firm/company.
- c. Last 2 years ITRs in case of individuals, last 2 years financial statements in case of firms/companies.
- d. Certificates of Educational Qualification of technical staff and certificates of Registrations/Membership with professional bodies/organizations.
- e. Letters of empanelment from other Banks/Financial Institutions.
- f. Detailed CV of key personnel, including that of technical experts along with copies of testimonials.

- g. List of important LIE assignments handled along with Letters of assignments from clients/Banks/FIs.
- h. Sample copies of LIE Reports prepared by the applicant in the past (as brought out in Annexure – A).
- i. Bank Status report (as brought out in Annexure – A).

DECLARATION & UNDERTAKING

I/We hereby undertake that all the pre-requisites listed above for empanelment as LIE are satisfied by me/us & that all the information submitted by me/us are true and correct. I/we, further confirm that all the necessary supporting documents are enclosed with the application.

I/We understand that any discrepancy/wrong information would lead to de-empanelment with immediate effect.

I/We declare that there are no criminal cases pending against me/us and I/we are not convicted in any case.

I/We hereby acknowledge, agree and confirm that empanelment as LIE by the bank does not confer any rights on me to necessarily receive assignments/jobs from the bank. Allocation of assignments/job/work shall be at the sole discretion of the bank and I/We shall not have any right or claim whatsoever in this regard and shall not have any right to challenge/dispute the decision of the bank in any court/tribunal and/or other authorities.

I/We further affirm that I/ we have not been de-empaneled/blacklisted by any Bank/ FI/ IBA or any other statutory body.

I/We undertake to provide all the details as & when required by the lender, will refrain from canvassing business with present or prospective borrowers of the bank and maintain the confidentiality and secrecy of all the assignments given to me/us by the bank.

I/We undertake to charge fees at a rate not exceeding the rates prescribed by Bank; and not undertake any LIE assignment of any project in which I/We have a direct or indirect interest.

If empanelled, I/We undertake to meet all the obligations mentioned in the application.

I/We understand and agree that following events will entitle the bank to de-empanel &/ blacklist me/us, as well as report my/our name to IBA or any other agency for black-listing.

- I. **De-empanelment-** Instance of concealment of any material information related to LIE/firm or providing any false information during the processing of the application or instances of non-adherence to coverage of LIE report as advised by the Bank or indulging in unprofessional behaviour and malpractices.
- II. **Blacklisting-** Instances of concealment of conflict of interest in any project or intentionally misrepresenting/ furnishing wrong data or indulging in unfair practices/ unprofessional conduct.

I/We hereby further acknowledge, agree and undertake that the bank may at its sole discretion insist or incorporate any other terms and conditions notwithstanding anything contained in their documents/Application herein.

I/We assure that all aspects of my contract are conducted in a manner so as to be in tune with the extant policies and guidelines of the Bank and as per other applicable statutory and regulatory requirements.

I/We further agree that my/our Empanelment with the Bank would not amount to any commitment by the Bank to provide any professional assignment to me/us.

Signatures of Proprietor/Partner/Authorized Signatory

with seal of the firm/company

Date:

Place:

**Guidance on Scope of Work for Lenders Independent Engineer –
Infrastructure/Manufacturing Projects**

The Scope of Work of LIE may be divided into phases as mentioned below:

- Phase I: Project Review and Assessment (on commencement of assignment till achievement of Financial Closure)
- Phase II: Periodic Construction Monitoring and Certifications (from Financial Closure till completion of assignment)

Detailed Scope of Work

An indicative list, which shall change depending on the type of the project, is as under:

Scope of project shall change depending on the type of the project, however, an indicative list of coverage of LIE report is given as under.

(i) Phase I – Project Review and Assessment

a) Review of Concession Agreement: (For PPP infrastructure projects)

LIE shall review the technical aspects of the concession agreement and provide an opinion on the achievability of stipulations, including those related to technical specifications and time schedule, based on a review of the relevant Project contracts and construction schedule as proposed by the borrowers.

b) Review of Project Contracts / Agreement:

LIE shall review the Project contracts including the EPC contract, O&M contract etc. and comment on the adherence of the technical and commercial aspects of the Project contracts, adequacy of project contractual arrangement including performance guarantees/ bonds, warrantees, adequacy of liquidated damages, performance bonuses with respect to the general industry practice and adequacy of these to mitigate project risks.

c) Review of Project costs:

Review the Project costs including adequacy of contingencies and comparison of the cost of project estimate with other similar projects. Review of technical inputs to Project Financial Model, review of drawdown schedule to be appended to Contract.

d) Review of Designs:

Review of the Project's conceptual design, engineering and drawings, construction plans and operation plans including the projected construction program, expenditure schedule and adequacy of the arrangements made to achieve the projected construction schedule

e) Review of approvals and clearances:

Review the approvals; clearances etc. which are required by the borrower firm to execute the Project as per schedule E of Concession Agreement and comment on the status of the same.

f) Review of Environment protection plan:

Advise the Lender on the steps taken by the Company for protection of the environment and avoid damage to persons and property.

g) Review/ Check consistency of project documents

(ii) Phase II – Periodic Construction Monitoring and perusal of Certifications

a) Review the drawdown schedule and adequacy of the arrangements made at the site to achieve the projected construction schedule on a monthly basis.

b) Review, assist and advice about the progress of work on a monthly basis, vis-à-vis program of construction and milestone dates specified in the concession agreement.

c) Review change in scope of work of the project during construction, if any.

d) Certify the capital cost incurred and approve request for disbursements during construction.

e) Carry out spot verification of the quality of the construction work vis-à-vis stated specifications, if required.

f) Assessment of variation in orders, if any, which may have impact on the EPC cost.

g) Monitor progress related to removal of encroachments on the carriageway and other acquired land.

h) Monitor adherence to environmental regulations and report on any present / future risks that arise during Project implementation.

i) Review the status of necessary approvals, permits, licenses, toll notifications, project completion certificates, etc. as may be required by the Company for implementation of the project.

Scope of services provided above is not exhaustive but only indicative. It shall be the sole responsibility of the LIE to render all services required to fulfill the respective obligations broadly envisaged herein above. Further, LIE may have to provide written opinions/ clarifications on any of the techno-commercial issues related to the project as requested by the Lenders.