

TENDER ENQUIRY

Volume – IA: Technical Bid

Dear Sir,

Sealed offers are invited by the undersigned on behalf of BHARAT HEAVY ELECTRICALS LIMITED for the subject job. Please find enclosed tender documents as per following details:

Tender No: 1406088 Date 15-01-2015 comprising of following:

Salient Details of NIT		
S. No.	Issue	Description
1.0	Supply Description	Supply of positive Alloy Analyzer as per Technical Specifications to RSC-Vadodara, Gujarat, India.
2.0	Enquiry No	1406088
3.0	Details of Tender Document	
3.1	Volume - I A	Technical Bid – (Pre-Qualification Criteria & Technical Specification)
3.2	Volume - I B	General Conditions of the Contract
3.3	Volume – II	Price Bid
4.0	Tender Due Date	Last date of submission of offer is 30-01-2014 Time: 15.00 Hrs. Opening of Tender 30-01-2015 Time: 15.30 Hrs. Notes: <i>(1) In case the due date of opening of tender becomes a non-working day, then the due date & time of offer submission and opening of tenders get extended to the next working day.</i> <i>(2) Bidder may depute representative to witness the opening of tender</i>

The offer shall be submitted as per the instructions of tender document and as detailed in this NIT. Bidders to note specifically that all pages of tender document, including these NIT pages of this particular tender together with subsequent correspondences shall be submitted by them, duly signed & stamped on each page, as part of offer. Rates/Price including discounts/rebates, if any, mentioned anywhere/in any form in the techno-commercial offer other than the Price Bid shall not be entertained.

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Complete set of offer shall be sent to BHEL PSWR, Nagpur as per address given below as per following details.

I. Procedure for Submission of Tenders:

a) COVER-I (TECHNO-COMMERCIAL BID) – in sealed envelope	
A	Offer forwarding/covering letter of the Tenderer
B	Duly filled-in 'No deviation certificate' as per prescribed format. In case of any deviation, the same should be submitted separately for technical & commercial parts, indicating respective clauses of tender against which deviation is taken by bidder. It shall be specifically noted that deviation recorded elsewhere shall not be entertained.
C	Techno-commercial offer enclosing supporting documents meeting Pre Qualifying Criteria / annexures / schedules etc. as required in line with prescribed format. It shall be specifically noted that all documents as per above shall be indexed properly.
D	All volumes of tender document pertinent for the subject job including NIT together with subsequent changes in the tender, correspondences etc., signed on all pages.
b) COVER-II (PRICE BID) – in sealed envelope	
c) COVER-III All three aforesaid covers in sealed condition shall be enclosed in this cover. All covers shall be super-scribed with i. Cover No. ii. Name of the job, tender document no. & due date of submission. ALONG WITH NAME & COMPLETE ADDRESS (FAX NO. CONTACT NOS) OF BIDDER and should be addressed to: AGM / Purchase Bharat Heavy Electricals Limited PSWR Shree Mohini Complex, 5 th Floor 345 Kingsway, Nagpur – 440001 Maharashtra	

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SPECIAL NOTE:

1. Bidders' offer documents shall be paginated, signed and stamped in each page by your authorized representative. No overwriting / correction in tender documents by bidders shall be allowed. However, if correction is unavoidable, the same may be signed by authorized signatory.

All documents / annexure submitted with the offer shall be properly annexed and placed in respective places of the offer as per enclosure list mentioned in the covering letter. BHEL shall not be responsible for any missing documents.

2. BHEL reserves the right to accept or reject any or all Offers without assigning any reasons thereof. BHEL also reserves the right to cancel the Tender wholly or partly without assigning any reason thereof. Also BHEL shall not entertain any correspondence from bidders in this matter.

3. BHEL also reserve the right to reject the bidder with unsatisfactory past performance in the execution of a contract. BHEL's decision in this regard shall be final & binding.

4. For any clarification on the tender document, you may seek the same in writing from the office of the undersigned. Such letters should reach the office of the under signed positively by 24-01-2015.

5. Price bids of those bidders will be opened who will be qualified for the subject job on the basis of evaluation of Techno-commercial bids / pre-qualifying criteria and as considered suitable by BHEL.

6. While BHEL reserves the right to open the price bid of the offers in camera, the date & time to open the tender opening shall be intimated to the bidders in case BHEL decides it to be 'Public opening' and in such a case, one authorized representative of the bidder shall be allowed to attend.

7. Order of Precedence

In the event of any ambiguity or conflict between the Tender Documents, the order of precedence shall be in the order below:

- a. Amendments/Clarifications/Corrigenda/Errata etc. issued in respect of the tender documents by BHEL
- b. Notice Inviting Tender (NIT)
- c. Price Bid – Volume - II
- d. Technical Conditions of Contract (TCC)—Volume-I A
- e. General Conditions of Contract (GCC) —Volume-I B

It may please be noted that guidelines/rules in respect of suspension of business dealings', 'Vendor evaluation format' etc. may undergo change from time to time and the latest one shall be followed.

Thanking you,

For Bharat Heavy Electricals Ltd

AGM/Purchase

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Important Information

1. Reverse Auction Terms & Conditions

Against this enquiry for the subject item/ system with detailed scope of supply as per enquiry specifications, BHEL may resort to “REVERSE AUCTION PROCEDURE” i.e., ON LINE BIDDING (THROUGH A SERVICE PROVIDER) in event of at least four techno-commercially qualified bidders. The philosophy followed for reverse auction shall be English Reverse (No ties).

1. For the proposed reverse auction, technically and commercially acceptable bidders only shall be eligible to participate.
2. Those bidders who have given their acceptance for Reverse Auction (quoted against this tender enquiry) will have to necessarily submit ‘online sealed bid’ in the Reverse Auction. Non-submission of ‘online sealed bid’ by the bidder for any of the eligible items for which techno-commercially qualified, will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines in vogue.
3. BHEL will engage the services of a service provider who will provide all necessary training and assistance before commencement of on line bidding on internet.
4. In case of reverse auction, BHEL will inform the bidders the details of Service Provider to enable them to contact & get trained.
5. Business rules like event date, time, bid decrement, extension etc. also will be communicated through service provider for compliance.
6. Bidders have to fax the Compliance form (annexure IV) before start of Reverse auction. Without this, the bidder will not be eligible to participate in the event.
7. In line with the NIT terms, BHEL will provide the calculation sheet if applicable (e.g., EXCEL sheet), which will help to arrive at “Total Cost to BHEL” like Packing & forwarding charges, Taxes and Duties, Freight charges, Insurance, Service Tax for Services and loading factors (for non-compliance to BHEL standard Commercial terms & conditions) for each of the bidder to enable them to fill-in the price and keep it ready for keying in during the Auction.
8. Reverse auction will be conducted on scheduled date & time.
9. At the end of Reverse Auction event, the lowest bidder value will be known on auction portal.
10. The lowest bidder has to fax/e-mail the duly signed and filled-in prescribed format for price breakup including that of line items, if required, (Annexure VII) as provided on case-to-case basis to Service provider within two working days of Auction without fail.
11. In case BHEL decides not to go for Reverse Auction procedure for this tender enquiry, the Price bids and price impacts, if any, already submitted and available with BHEL shall be opened as per BHEL’s standard practice.
12. Bidders shall be required to read the “Terms and Conditions” section of the auctions site of Service provider, using the Login IDs and passwords given to them by the service provider before reverse auction event. Bidders should acquaint themselves of the “Business Rules of Reverse Auction”, which will be communicated before the Reverse Auction.
13. If the Bidder or any of his representatives are found to be involved in Price manipulation/ cartel formation of any kind, directly or indirectly by communicating with other bidders, action *as per extant BHEL guidelines*, shall be initiated by BHEL and the results of the RA scrapped/ aborted.
14. The Bidder shall not divulge either his Bids or any other exclusive details of BHEL to any other party.
15. In case BHEL decides to go for reverse auction, the H1 bidder (whose quote is highest in online sealed bid)

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may not be allowed to participate in further RA process.

2. Guideline for Indian Agents of Foreign Suppliers:

2.1 There shall be compulsory registration of agents for this Tender. An agent who is not registered with BHEL shall apply for registration in the registration form in line with SEARP.

2.2 Registered agents will file an authenticated Photostat copy duly attested by a Notary Public/Original certificate of the Principal confirming the agency agreement and giving the status being enjoyed by the agent and the commission/ remuneration/ salary/ retainership being paid by the principal to the agent before the placement of order by BHEL.

2.3 Wherever the Indian representatives have communicated on behalf of their principals and the foreign parties have stated that they are not paying any commission to the Indian agents, and the Indian representative is working on the basis of salary or as retainer, a written declaration to this effect should be submitted by the party (i.e. Principal) before finalizing the order.

2.4 Disclosure of particulars of agents/ representatives in India, if any.

2.4.1 Tenderers of Foreign nationality shall furnish the following details in their offers:

- a. The Bidder(s)/ Contractor(s) of foreign origin shall disclose the name and address of the agents/ representatives in India if any and the extent of authorization and authority given to commit the Principals. In case the agent/ representative be a foreign Company, it shall be confirmed whether it is existing Company and details of the same shall be furnished.
- b. The amount of commission/ remuneration included in the quoted price(s) for such agents/ representatives in India.
- c. Confirmation of the Tenderer that the commission/ remuneration, if any, payable to his agents/ representatives in India, may be paid by BHEL in Indian Rupees only.

2.4.2 Tenderers of Indian Nationality shall furnish the following details in their offers:

- a. The Bidder(s)/ Contractor(s) of Indian Nationality shall furnish the name and address of the foreign principals, if any, indicating their nationality as well as their status, i.e. whether manufacturer or agents of manufacturer holding the Letter of Authority of the Principal specifically authorizing the agent to make an offer in India in response to tender either directly or through the agents/ representatives.
- b. The amount of commission/ remuneration included in the price (s) quoted by the Tenderer for himself.
- c. Confirmation of the foreign principals of the Tenderer that the commission/ remuneration, if any, reserved for the Tenderer in the quoted price(s), may be paid by BHEL in India in equivalent Indian Rupees on satisfactory completion of the Project or supplies of Stores and Spares in case of operation items.

2.4.3 In either case, in the event of contract materializing, the terms of payment will provide for payment of the commission/ remuneration, if any payable to the agents/ representatives in India in Indian Rupees on expiry of 90 days after the discharge of the obligations under the contract.

Tax deduction at source is applicable to the agency commission paid to the Indian agent as per the prevailing rules.

In absence of agency agreement, BHEL shall not deal with any Indian agent (authorized representatives/associate/consultant, or by whatever name called) and shall deal directly with the foreign principal only for all correspondences and business purposes.

2.4.4 Failure to furnish correct and detailed information as called for in sl. no.2.4 above will render the concerned tender liable to rejection or in the event of a contract materializing, the same liable to termination by BHEL. Besides this there would be a penalty of banning business dealings with BHEL or damage or payment of a named sum.

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2.4.5 The supply & execution of Purchase order (including indigenous supplies/service) shall be in the scope of OEM/foreign principal. The OEM/foreign principal should submit their offer inclusive of all indigenous supplies/services and evaluation will be based on 'total cost to BHEL'.

The responsibility of successful execution of the contract (including indigenous supplies/services) lies with OEM/foreign principal. All bank guarantees to this effect shall be in scope of the OEM/foreign principal.

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II. Pre-Qualification Criteria

QUALIFICATION REQUIREMENT FOR POSITIVE ALLOY ANALYZER			
S. NO	PRE QUALIFICATION CRITERIA	Bidders claim in respect of fulfilling the PQR Criteria	
		Name and Description of qualifying criteria	Page no of supporting document.
A	<p><u>Technical</u></p> <p>Bidder must have executed following works in the last TWO (2) years as on latest date of bid submission:-</p> <p>A.1) Bidder must have supplied at least 1 number of Positive alloy Analyzer against purchase order to any Government, Semi Government/ or any Customer.</p>	APPLICABLE	
B-1	<p><u>Financial Turnover:</u></p> <p>Bidders must have achieved an average annual financial turnover (Audited) of Rs.13 Lakhs (or equivalent home currency for foreign bidder) or more over last three Financial Years (FY) i.e. 2011-12, 2012-13, 2013-14 if 2013-14 is audited or 2010-2011, 2011-2012, 2012-2013 if Annual Accounts for FY 2013-14 are not audited.</p>	NOT APPLICABLE	
B-2	<p><u>NETWORTH (only in case of Companies)</u></p> <p>Net worth of the Bidder based on the latest Audited Accounts as furnished for 'B-1' above should be positive</p>	APPLICABLE	
B-3	<p><u>PROFIT</u></p> <p>Bidder must have earned cash profit in any one of the three Financial Years as applicable in the last three Financial Years defined in 'B-1' above based on latest Audited Accounts.</p>	APPLICABLE	
C	<p><u>Price Bid Opening</u></p> <p>Note: Price Bids of only those bidders shall be opened who stand qualified after compliance of criteria A to B</p>	APPLICABLE	BY BHEL

Explanatory Notes for QR

- A. *Bidder to submit Audited Balance Sheet and Profit and Loss Account for the respective years as indicated against B-1 above along with all annexures*
- B. *In case audited financial statements have not been submitted for all the three years as indicated against B-1 above, then the applicable audited statements submitted by the bidders against the requisite three years, will be averaged for three years i.e. total divided by three.*
- C. *NETWORTH: Shall be calculated based on the latest Audited Accounts as furnished for B-I above. Net worth = Paid up share capital + Reserves. (Net worth is required to be evaluated in case of companies)*
- D. *PROFIT: shall be NET profit (PAT + Non cash expenditure viz. depreciation) earned during any one of the three financial years as in I-B above*
- E. *Bidder shall submit above Pre-Qualification criteria format, duly filled-in, specifying respective annexure number against each criteria and furnish relevant document inclusive of Purchase order and Order completion certificate/Proof of Completion etc. in the respective annexures in their offer.*

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III. Technical Specifications

Positive Alloy Analyzer			
Sl. No.	Description	Technical Specification	Bidder's Compliance (Yes/No)
1.	Type	Digital, Hand held, robust (Gun Type)	
2.	Display	Digital LCD/TFT with backlight	
3.	Operating Temperature Range	0 to +50 Deg. C or higher	
4.	General Metal Detection	Should measure Fe, Cr, Mo, Ni, Mn, W, Cu, Al	
5.	Material Grade Like	Instrument should indicate separately material grade/type AS/MS/SS/CS/High Carbon Steel, etc.	
6.	Optional Metal Detection	Zn, Ti, Co, Se, Nb, Zr, Pd, Ag, Sn, Sb, Ta, Hf, Re, Pb, Bi, Si, etc.	
7.	Accuracy	+/-1% of reading or better	
8.	Data Logging Facility	Should have data logging facility	
9.	Software for Logging	To be provided along with required hardware & interfacing cables, etc.	
10.	Display Hold	Required	
11.	Safety	CE Mark preferred	
12.	PC Connectivity	RS-232/USB/Bluetooth	
13.	Weight	Not more than 2 Kg.	
14.	Power Management	Operated by Rechargeable battery (with charger)	
15.	Carrying Case	Required	
16.	Accessories	All accessories like Manual, Probes, PC Cable, Carrying case, Battery, CD, etc.	
17.	Calibration Certificate	Calibration certificate traceable to National/International standards	
18.	Warranty	One Year	

IV. TECHNO-COMMERCIAL TERMS & CONDITIONS

1. Product quoted by bidder should meet technical specification mentioned.

2. Evaluation criteria:

Tenders will be evaluated on the basis of delivered cost, i.e. total cost to the BHEL, taking into consideration loadings, if any, and all available financial advantages, including those available from Owner, taxation authorities etc. (i.e. CENVAT credit on Excise duty/CVD).

For evaluation, exchange rate (TT selling rate of State Bank of India) as on date of tender opening (Part-I bid in case of two part bid) shall be considered. If the relevant day happens to be a bank holiday, then the forex rate as on the previous bank (SBI) working day shall be taken.

In case of foreign bidders, the quoted CIF Mumbai (Airport) price shall be loaded by following factors to arrive at total F.O.R. Site price:

- a) Custom Duty (including CVD & SAD) – as prevailing on date of price bid opening.
- b) Port handling/ clearing charges – @ 1% of CIF value.
- c) Inland freight and LC charges – @ 1% of CIF value.

3. Prices shall be valid for **3 Months** from the date of opening of technical bid.

4. Equipment should be supplied along with warranty certificate, O&M Manual, calibration certificate. Materials supplied without warranty/calibration certificate shall not be accepted.

5. Equipment shall have warranty of 12 months from date of receipt of instrument/ demonstration/commissioning.

6. **Payment Terms:** 80% payment of Supply value shall be made within 45 days from the date of receipt of material at destination and on submission of complete documents to BHEL-PSWR Hqr., Nagpur. Balance 20% shall be released on submission of Performance Bank Guarantee (PBG) valid for 30 days beyond the Warranty period by supplier from any of the consortium Banks of BHEL for 10% of total PO value in prescribed format. The PBG confirmation charges shall be borne by vendor.

Note:

- For indigenous suppliers, if the documents are routed through Bank, then all bank charges will be to vendor's account.
- Foreign bidders can opt for payment (less agency commission, if applicable) through irrevocable and unconfirmed letter of credit. In that case for evaluation purpose, prices of foreign bidders will be loaded on account of payment through LC, equal to loading specified against 'Payment through Bank' in Annexure. No loading will be done if foreign vendors agree for 90 days usance LC or submit the documents on collection basis for payment within 90 days of submission of complete documents.
- LC opening/ negotiation/ confirmation charges will be to vendor's account.

7. For any deviation sought in Payment terms by bidder w.r.t. payment term, following loading shall be followed during evaluation of price bids:

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- Base rate of State Bank of India (SBI) (as applicable on the date of bid opening; Techno-commercial bid opening in case of two part bids) + 6%; shall be considered for loading for the period of relaxation sought by bidders.
- On account of payment through LC, if insisted by bidder, all LC related Bank charges shall also be loaded for the deviation in (i) opening of LC by BHEL and (ii) period and amount of LC w.r.t. NIT norms, as per the prevailing bank rates.

8. Liquidated Damages/Penalty:

- LD shall be 0.5% of the total order value per week of delay or part thereof subject to a maximum of 10% of the total order value.
- In case bidder is not accepting the penalty clause for delayed supply, the offer of bidder shall be loaded to the extent to which it is not agreed by the bidder during price bid evaluation.

9. BHEL reserves the right to decide the successful bidder on the basis of Reverse Auction process. In such case all qualified bidders will be intimated regarding procedure/ modality for Reverse Auction process prior to Reverse Auction and price will be decided as per the rules for Reverse Auction. However, if reverse auction process is unsuccessful as defined in the RA rules/procedures, or for whatsoever reason, then the sealed 'PRICE BIDS' will be opened for deciding the successful bidder. BHEL's decision in this regard will be final and binding on bidder.

10. Earnest Money Deposit: Refundable, Non-interest bearing EMD of INR **40,000/-** (Rupees Forty Thousand only) for Indian bidders or equivalent currency value for foreign bidders is applicable for this Enquiry. EMD shall be paid **ONLY** by cash (as permissible under Income Tax Act) or Pay Order or Demand Draft in favour of "Bharat Heavy Electricals Limited" payable at Nagpur along with the technical bid. EMD given by all unsuccessful bidders shall be refunded on acceptance of award/PO by successful bidder. (Micro & Small Enterprises as per MSMED Act 2006 are exempted from EMD).

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V. Instructions for filling the Price Bid

1. **Bidders' rate shall be exclusive of all taxes and duties (for Indian Bidders).**
2. Foreign bidders shall quote C.I.F. price as per Price bid format.
3. Packaging and Forwarding cost shall be included in Basic Cost.
4. Transit Insurance is in the scope of Supplier and shall be included in freight. Supplier shall insure at his cost the goods for all transit risk.
5. Octroi/Entry tax, if any shall be paid by BHEL on submission of original receipts.
6. Prices to be quoted in INR for Indian Bidders or home currency for foreign bidders.
7. Bidder must quote the price elements mentioned in price schedule, if any element left blank shall be construed as the price is included in all inclusive F.O.R./C.I.F. price.
8. Bidder shall fill the rates only in the Price format given by BHEL in Volume - II. Other papers or documents inscribing the rates of equipment shall be liable for rejection.

S. No.	DESCRIPTION OF T & C	T&C AS QUOTED IN THIS TENDER	ACCEPTED/ NOT ACCEPTED
1.	Place of delivery	As per ANNEXURE-I	
2.	Delivery period from the date of order	As per ANNEXURE-I	
3.	General conditions of the contract		
4.	Excise /CVD Invoices	<input type="checkbox"/> SHALL BE PROVIDED <input type="checkbox"/> SHALL NOT BE PROVIDED <ul style="list-style-type: none"> Invoice should contain ECC details of supplier and buyer. BHEL ECC and TIN details shall be contained in purchase order. If bidder confirms to provide Excise/CVD invoice, same shall be submitted within 1 month from the date of invoice for availing CENVAT credit failing which BHEL shall not be liable to reimburse Excise duty/CVD paid by supplier. 	
5.	MSE Certificate submitted	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable	
6.	Manufacturing Facility Address		

VI. CERTIFICATE OF NO DEVIATION

TENDER SPECIFICATION No.: 1406088

I/WE, M/s

HEREBY CERTIFY THAT NOT WITHSTANDING ANY CONTRARY INDICATIONS / CONDITIONS ELSEWHERE IN OUR OFFER DOCUMENTS, I/WE HAVE NEITHER SET ANY TERMS AND CONDITIONS NOR THERE IS ANY DEVIATION TAKEN FROM THE CONDITIONS OF BHEL'S TENDER SPECIFICATIONS, EITHER TECHNICAL OR COMMERCIAL, AND I/WE AGREE TO ALL THE TERMS AND CONDITIONS MENTIONED IN BHEL'S TENDER SPECIFICATION WITH ASSOCIATED AMENDMENTS & CLARIFICATIONS.

I/WE ALSO HEREBY CONFIRM ANY TERMS AND CONDITIONS RECORDED/SET BY US IN ANY PART OF THE TENDER AND ITS RELATED REFERENCE ARE CONSIDERED NULL AND VOID AND WITHDRAWN BY US.

SIGNATURE OF THE TENDERER

DATE:

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Annexure-I

Sl. No.	Destination Address	Quantity (in nos.)	Delivery Schedule
1	BHEL OFFICE C-16 & 17 BHEL TOWNSHIP GAYATRI NAGAR, GOTRI VADODARA-390021, GUJARAT (INDIA)	1	Within 1 month from date of P.O.

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VII. CHECK LIST

NOTE: - Tenderers are required to fill in the following details and no column should be left blank

1.	Name and Address of the Tenderer		
2.	Details about type of the Firm/Company		
3.	Details of Contact person for this Tender	Name : Mr/Ms _____ Designation: _____ Telephone No: _____ Mobile No: _____ Email Id- _____	
		Bidders' Offer Page No	Bidder Reply
4.	Whether the format for compliance with PRE QUALIFICATION REQUIREMENT is understood and filled with proper supporting documents referenced in the specified format.		YES / NO
5.	Copy of executed Purchase Orders along with Proof of Completion to satisfy PQR		YES / NO
6.	Audited Profit and Loss Account for the last three years		YES / NO
7.	Whether all pages of the Tender documents are read, understood and signed with company seal.		YES / NO
8.	No Deviation Certificate duly signed with company seal.		YES / NO
9.	Annexures duly signed with company seal.		YES / NO
10.	Techno-Commercial Terms & Conditions sheet filled & duly signed with company seal.		YES / NO

NOTE: STRIKE OFF 'YES' OR 'NO', AS APPLICABLE

DATE:

AUTHORISED SIGNATORY
(With Name, Designation and Company seal)