

EXPRESSION OF INTEREST (EOI) FOR
EMPANELMENT OF INSOLVENCY PROFESSIONALS (IPs)

Bank of Baroda (BOB) invites applications from Insolvency Professionals (IPs) registered with Insolvency and Bankruptcy Board of India (IBBI), having membership of Insolvency Professional Agency (IPA), having office(s) at places where NCLT benches are established and hold the requisite qualification and experience as per the eligibility criteria as mentioned in **Annexure A**

Existing empanelled IPs of BOB are also requested to submit their EOIs, as once new Empanelled IP list will come in existence after running this process then the previous all empanelment list will stand scrapped.

SCHEDULE DATE/ EVENTS:

EOI Submission Mode	Through online mode only (web link www.tenderwizard.com/BOB)
Online Application Submission Start from	18.08.2023 (From 10.00 a.m.)
<u>Last date of submission of Online EOI Application</u>	31.08.2023 (up to 5.00 p.m.)
<u>Website Address for submission of EOI/Bid</u>	www.tenderwizard.com/BOB
Contact Persons (Tender Related Query)	Mr. Vishal Kumar Jain (AGM) Landline- 022-66985730 Mr Govind Tripathi (CM) Landline- 022-66985722 Mrs. Sita Anantharaman (SM) Landline- 022-66985072
Technical Support	Help Desk – 080-45811365 Mr. Senthil – 8693843194 Mr. Sandeep - 8800496478 Mr. Shankar - 8800378610
Mail Address	nclt@bankofbaroda.com
Applicant's Eligibility Criteria	Set out in Annexure 'A'
EOI Application Form	Available on website "www.tenderwizard.com/BOB"

Note: Requirement

[1] Digital Signature (Class-3) &

[2] PC should be preloaded with Java version- 8

BOB may modify any part of this document at any time prior to the deadline for submission of EOIs. Such change(s) if any may be in the form of an addendum/corrigendum and will be uploaded in Bank's website. All such change(s) will automatically become part of this Request for EOI and binding on all applicants. Any request for extension of date for submission of EOIs will not be entertained. However, the BOB at its discretion may extend the deadline in order to allow prospective applicants a reasonable time to amend/changes, if any, into account.

TERMS & CONDITIONS:

- i. All EOIs received by the designated date and time will be examined by the Bank to determine if they meet eligibility criteria/terms and conditions mentioned in this document including its subsequent amendment(s), if any, and whether EOIs are complete in all respects.
- ii. BOB reserves the right to accept or reject any or all EOIs received without assigning any reason therefore whatsoever and the BOB's decision in this regard will be final. No contractual obligation whatsoever shall arise from the EOI process.
- iii. BOB reserves the right, at any time, to waive any of the requirements of this Request for EOI document if it is deemed in the interest of BOB.
- iv. EOI submission is evidence of an applicant's consent to comply with the terms and conditions of Request for EOI process. If an applicant fails to comply with any of the terms, its EOI may be summarily rejected.
- v. If deemed necessary, the BOB may seek clarifications on any aspect of EOI from the applicant. If a written response is requested, it must be provided within 02 working days by email. The responses received beyond 02 working days, if any, may not be considered. However, that would not entitle the applicant to change or cause any change in the material particulars of their EOI document already submitted. BOB may also make enquiries to verify the past performance of the applicants in respect of similar work. All information submitted in the application or obtained subsequently will be treated as confidential.
- vi. BOB reserves the right to verify the validity of information provided in the EOIs and to reject any bid where the contents appear to be incorrect, inaccurate or inappropriate at any time during the process of EOI.
- vii. Any misrepresentation of any fact in the EOI will lead to the disqualification of the applicant without prejudice to other actions that BOB may take. The EOI and the accompanying documents will become property of BOB.
- viii. BOB is not responsible for non-receipt of EOIs within the specified date and time due to any reason including any technical issue.
- ix. Shortlisted applicants must not advertise or publish the same in any form without the prior written consent of BOB.
- x. The applicants shall bear all costs associated with submission of EOI desired by BOB. BOB will not be responsible or liable for any cost thereof, regardless of the conduct or outcome of the process.
- xi. Applicants must advise BOB immediately in writing of any material change to the information contained in the EOI application, including any substantial change in their ownership or their financial or technical capability. Copies of relevant documents must be provided with such submission.
- xii. The empanelment of IPs shall be subject to periodic review which shall be done by the bank internally without any intervention from the concerned insolvency professional. However, Bank reserves its right for cancellation of empanelment of any Insolvency Professional without any opportunity of being heard or without giving any notice, wherever any adverse action is taken by IBBI/ IPA/ NCLT/ any other judicial body, or any negative feedback received from any of the Branches/offices of the Bank on any IP affecting his/ her capability to take up any further

assignments. The decision of Bank regarding cancellation of empanelment of any insolvency professional, either by review or otherwise, shall be final.

- xiii. Shortlisting or Empanelment by BOB does not create any right in favour of shortlisted or empanelled IRP to get appointed as IRP/RP/Liquidator in any case/matter under IBC.
- xiv. BOB shall have the right to cancel the EOI process itself at any time, without thereby incurring any liabilities to the affected applicants.

DISCLAIMER:

BOB is not committed either contractually or in any other way to the applicants whose applications are accepted. The issue of this Request for EOI does not commit or otherwise oblige BOB 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, BOB and its directors/ officers/ employees/ contractors/ agents and advisors disclaim all liabilities (including liability 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 in this document or suffered by any person acting or refraining from acting because of any information contained in this Request for EOI document or conduct ancillary to it whether or not the loss or damage arises in connection with any omission, default, lack of care or misrepresentation on the part of BOB or any of its officers, employees, contractors, agents or advisors.

The Bank reserves the right to reject any application for empanelment of Insolvency Professional without obligation

Applicant's Eligibility Criteria

1. The IP should be registered with Insolvency and Bankruptcy Board of India (IBBI) and in possession of a valid registration certificate from IBBI. He/ She should also be a member of an Insolvency Professional Agency (IPA).
2. The applicant should have at least 15 years of professional experience, out of which minimum 5 years of relevant experience in handling matters relating to rehabilitation of companies which may include experience in Corporate Debt Restructuring / Strategic Debt Restructuring, Scheme of Arrangement/ Winding up of companies under Companies Act, 2013, BIFR restructuring cases under SICA (Special Provisions) Act, handling NCLT cases.
3. **Additional weightage shall be given to those professionals who have experience of handling CIRP cases and completing the resolution/ liquidation process successfully.**
4. Persons having experience in handling financial restructuring/ change in management of companies under SICA, corporate turnaround, takeovers, mergers and acquisitions under Companies Act, *shall have additional weightage*. The details of the relevant experience in this regard **may be provided in the annexure** to the applicant's response to this EOI.
5. The applicant should be well versed with the Insolvency and Bankruptcy Code, Rules and Regulations, the Companies Act, 2013, Partnership Act, 1932, Limited Liability Partnership Act, 2008, Contract Act, 1872 , Transfer of Property Act, RDDB Act, NI Act and other relevant Acts.
6. The applicant should have up-to-date knowledge of the important case laws/ Judgements delivered by Hon'ble Supreme court/ NCLAT/ NCLT in the matters pertaining to IBC, 2016.
7. The applicant should have appropriate support system of professionals, consultants and advisors to complete the Corporate Insolvency Resolution in the manner prescribed under the Code.
8. Applicants who are part of/supported by an IBBI registered Insolvency Professional Entity with adequate infrastructure **shall be given additional weightage**.
9. The applicant must be willing to abide by the Bank's terms and conditions as to fees, charges etc.
10. The applicant, if empanelled with the Bank should be willing to undertake that he/she shall not appear/ advise or represent corporate debtor or any other third party to avert any conflict of interest. The applicant otherwise should not be in conflict with the assignment for which he is proposed.
11. The applicant shall not have been convicted at any point of time by a Court of competent jurisdiction and there should be no criminal proceedings pending against him/her on the date of empanelment.
12. The applicant should undertake to follow the Code of Conduct under the Insolvency and Bankruptcy Board of India (Insolvency Professionals) Regulations, 2016.
13. The applicant should not have been employed or closely associated (holding a senior or key position) with a firm/company, which is subjected to investigation by SEBI, SFIO of Ministry of Corporate Affairs, Enforcement Directorate and such other investigation agencies under the applicable laws of India or any other jurisdiction.
14. The applicant should not have been guilty of any professional misconduct or offence involving moral turpitude or otherwise.
15. Applicant, if empanelled with the bank, should be willing to undertake that they shall not appear/ advise or represent interest adverse to the Bank's interests.