



INVITATION FOR BIDS (IFB) FOR SUPPLY OF KNOW-HOW/ LICENSE, BASIC ENGINEERING DESIGN PACKAGE (BEDP), AND OTHER RELATED SERVICES FOR MS BLOCK FOR NUMALIGARH REFINERY EXPANSION PROJECT OF M/s NUMALIGARH REFINERY LIMITED

(BIDDING DOCUMENT NO.: SPN/A555-000-LA-T-8508/1003)

(INTERNATIONAL COMPETITIVE BIDDING)



1.0 INTRODUCTION

- 1.1 Numaligarh Refinery Limited (NRL), a subsidiary of Bharat Petroleum Corporation Limited is a public sector undertaking under the Ministry of Petroleum and Natural Gas. The refinery located at Golaghat District in Assam was commissioned in the year 2000 with a crude processing capacity of 3 million tonnes per annum (MMTPA) to process indigenous crude of Assam. The refinery primarily produces MS & HSD conforming to BS-IV/VI specification.
- 1.2 NRL intends to install a parallel new refinery of crude processing capacity of 6 MMTPA to expand its capacity from present 3 MMTPA to 9 MMTPA. The project is integrated with a new crude oil pipeline from Paradip (Odisha) to Numaligarh (Assam) and a product pipeline from Numaligarh to Siliguri where NRL has its own Marketing Terminal for distribution of product. The crude oil for the new refinery train will be high sulphur crude.
- 1.3 The project has been named as Numaligarh Refinery Expansion Project (NREP). The configuration of new train is selected to produce petrochemical feedstock in future. MS & HSD produced from the new train shall meet the BS-VI specification.
- 1.4 M/s NRL has entrusted Engineers India Limited (EIL) the activity of performing the Licensor Selection for the various units of the Project.
- 1.5 EIL, on behalf of NRL, invite Electronic-Bids (e-Bids) for **MS Block** from the licensor's of **MS Block comprising of NHT, ISOM & CCR units** with sound technical and commercial capabilities meeting the pre-qualification criteria stated in para **4.0** below.

2.0 BRIEF SCOPE OF WORK:

Brief Scope of Work shall be in general but not limited to the Supply of Know-how/ License, Basic Engineering Design Package (BEDP), catalysts and other related services for the proposed MS Block units at NRL's Refinery under Numaligarh Refinery Expansion Project (NREP).

The table 1.1 below lists out the capacity and objective for the proposed MS Block

Table: 1.1 Unit Capacity and Objective

Process unit	Capacity	Objective of process Unit
Naphtha Hydrotreater Unit (NHT)	1.16 MMTPA	Hydrotreated Naphtha from NHT shall have a Sulphur content of max, 0.5 wt ppm and nitrogen content of max 0.5 wt ppm

Isomerisation Unit (ISOM)	0.465 MMTPA	Isomerase *RON=89 minimum *Blend of all hydrocarbon streams from ISOM unit other than LPG and off gases
Continuous Catalytic Reforming Unit (CCR)	0.73 MMTPA	Stabilised/Debutanized Reformate RON:102 (min.)

3.0 SALIENT FEATURES OF BIDDING DOCUMENT

S. NO.	SALIENT FEATURES	DETAILS
a)	Bidding Document No.	: SPN/A555-000-LA-T-8508/1003
b)	Bidding Document & subsequent Addendum/Corrigendum (if any) available on Website for viewing & downloading	: (i) Govt. of India Central Public Procurement Portal (CPPP) website: https://eprocure.gov.in/eprocure/app . (ii) Also, link to bidding document is available on EIL website: http://tenders.eil.co.in . (iii) IFB is available on NRL's Portal https://nrl.co.in also.
c)	Period during which Bidding Document can be viewed & downloaded from Website	: From 10.10.2019 to 21.11.2019
d)	Last date of Receipt of Bidder's Queries for Pre-Bid Conference	: 21.10.2019
e)	Pre-Bid Conference	: 10:30 Hrs. (IST) on 22.10.2019 at : ENGINEERS INDIA LIMITED EIL R&D COMPLEX, SECTOR-16 (On N.H.-8) TOWER-1 (1st Floor), GURUGRAM-122 001 HARYANA (INDIA) Tel NO.: +91-124- 380 2161/2156/2108
f)	Last Date and time of online submission of e- Bids (Unpriced & Price)	: 12:00 Hrs. (IST) on 21.11.2019
g)	e-Tendering Portal for online submission of e- Bids (Unpriced & Price)	: Govt. of India Central Public Procurement Portal (CPPP) website: https://eprocure.gov.in/eprocure/app .
h)	Online Opening of Techno Commercial Unpriced E-Bids	: 14:00 Hrs. (IST) on 22.11.2019

S. NO.	SALIENT FEATURES	DETAILS
i)	Contact Persons for any query / clarification	a) Mr. Abhishek Banarjee, Manager, (SCM) Tel.No.: +91-124- 380 2161 Email: abhishek.banerjee@eil.co.inn b) Mr. Shashi Shekhar, Sr. Manager(SCM) Tel.No.: +91-124- 380 2156 Email: sashi.shekhar@eil.co.in c) Mr S Padmanathan, DGM(SCM) Tel.No.: +91-124- 380 2108 Email: s.padmanathan@eil.co.in
j)	Cost of Bidding Document	Not Applicable
k)	Earnest Money Deposit	INR 1,00,000/- (Indian Rupees One Lakh only) or USD 1410 (US Dollar One Thousand Four Hundred Ten) or Euro 1280 (Euro One Thousand Two Hundred Eighty) EMD shall be uploaded in designated place in the above mentioned Govt. of India CPP Portal. Swift message/Cheque/Cash shall not be acceptable. In case, bidder fails to upload scanned copy of EMD on CPP Portal and fails to submit Original EMD (In hard Copy) by the bid due date & time, such bid shall not be considered for evaluation. (For details refer ITB)
l)	Online Opening of Priced Bids of Techno-Commercially Accepted Bidders	On date & time to be intimated later on.
m)	Time schedule for final BEDP submission (Soft including native files).	20 Weeks from Zero Date. Zero Date is Date of Kick-off meeting for the finalisation of design basis. [For details and milestone wise break up of Time Schedule, refer Technical Specifications].

- 3.1 If identified dates as in sl. no. **3.0 e) and h)** above happen to be a declared holiday/closed day in EIL Gurugram, activity shall be conducted on the next working day at the time specified therein.
- 3.2 All amendments, time extension, clarifications, etc. will be uploaded in the websites (CPPP) only. Bidders should regularly visit the above website(s) to keep themselves updated.
- 3.3 Request for extension or any queries received from any bidder with less than **seven** working days prior to bid due date shall generally be ignored, since there will not be adequate time for proper communication with Client and other Bidders. Bidders shall submit the bid directly and in their own name without involving any intermediaries.

4.0 BIDDER'S QUALIFICATION CRITERIA (BQC)

Bidder shall fulfil the following qualification criteria:

4.1 TECHNICAL (EXPERIENCE) CRITERIA:

4.1.1 The MS Block comprises of the following three units:

- Naphtha Hydrotreating Unit (NHT)
- Isomerisation Unit (ISOM)
- Continuous Catalytic Reforming Unit (CCR)

Bidder is required to meet the following qualification criteria so as to enable further evaluation of his bid for technology selection for NRL's MS Block.

4.1.1.1 The Bidder must be a licensor himself and must have licensed and supplied technology for NHT, CCR and ISOM units. Bidder should have licensed all the 3 units namely NHT, ISOM and CCR and shall furnish a reference of these units as independent units or any combinations, like NHT/CCR, NHT/ISOM or NHT/ISOM/CCR.

The reference of NHT unit (hereinafter called reference unit #1A), ISOM unit (hereinafter called reference unit #1B) and CCR unit (hereinafter called reference unit #1C) shall meet the Minimum Qualifying criteria as defined below.

4.1.1.2 Minimum capacity:

- a. NHT: 0.58 MMTPA (Reference Unit # 1A)
- b. ISOM: 0.232 MMTPA (Reference Unit # 1B)
- c. CCR: 0.365 MMTPA (Reference Unit # 1C)

4.1.1.3 The reference unit #1A, 1B, 1C:

- i. Should have been licensed within the last fifteen (15) years (Note-1).
- ii. Must be a commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant not accepted).
- iii. Should have been for a client other than licensor himself (i.e. unit should be non-captive).
- iv. Should be a grass-root unit and not be a revamp or debottlenecked unit.
- v. For reference unit #1A, product sulphur and nitrogen specification of hydrotreated Naphtha from NHT should be 0.5 ppmw max.
- vi. For reference unit #1B, Isomerase* RON should be 89 minimum.
(*Blend of all Hydrocarbon streams from ISOM unit other than LPG and off gases.)
- vii. For reference unit # 1C, Stabilized/ Debutanized Reformate RON should be 102 minimum.
- viii. Should have completed at least one year of operation. (Note-1).

4.1.1.4 A) In case bidder meets all the requirements of section 4.1.1.3 above, however the NHT unit (Reference unit #1A) has been licensed prior to last ten (10) years, bidder is required to provide an additional reference of NHT unit of any capacity (Reference Unit #1AA) meeting the following requirements:

- i. Must have been licensed and designed within the last ten (10) years (Note-1).
- ii. Must be a commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant not accepted).
- iii. Should have been for a client other than licensor himself (i.e. unit should be non-captive).

- iv. Should be a grass-root unit and not be a revamp or debottlenecked unit.

B) In case bidder meets all the requirements of section 4.1.1.3 above, however the ISOM unit (Reference unit #1B) has been licensed prior to last ten (10) years, bidder is required to provide an additional reference of ISOM unit of any capacity (Reference Unit #1BA) meeting the following requirements:

- i. Must have been licensed and designed within the last ten (10) years (Note-1).
- ii. Must be a commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant not accepted).
- iii. Should have been for a client other than licensor himself (i.e. unit should be non-captive).
- iv. Should be a grass-root unit and not be a revamp or debottlenecked unit.

C) In case bidder meets all the requirements of section 4.1.1.3 above, however the CCR unit (Reference unit #1C) has been licensed prior to last ten (10) years, bidder is required to provide an additional reference of CCR unit of any capacity (Reference Unit #1CA) meeting the following requirements:

- i. Must have been licensed and designed within the last ten (10) years (Note-1).
- ii. Must be a commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant not accepted).
- iii. Should have been for a client other than licensor himself (i.e. unit should be non-captive).
- iv. Should be a grass-root unit and not be a revamp or debottlenecked unit.

4.1.1.5 In case the Bidder offers the same catalyst(s) as employed in reference unit #1A, 1B, 1C, then the reference unit # 1A, 1B, 1C should meet the following criteria:

- i. The offered catalysts must have completed minimum one year of operation (Note-1).

4.1.1.6 In case the Bidder offers alternative catalyst(s) other than the catalyst(s) employed in reference unit #1A, 1B, 1C, then the Bidder should offer other reference unit (hereinafter called reference Unit # 2A, 2B, 2C) for NHT, ISOM and CCR respectively.

The reference unit # 2A, 2B, 2C:

- i. Can be a Grass-root, brown field or de-bottlenecked unit.
- ii. Should have been for a client other than licensor himself (i.e. unit should be non-captive).
- iii. Must be a commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant not accepted).
- iv. The offered catalysts must have completed minimum one year of operation within last fifteen (15) years (Note-1).
- v. Sulphur and nitrogen specification of 0.5 ppmw max in hydrotreated Naphtha from NHT (for reference unit #2A).
- vi. Isomerase* RON= 89 minimum (for reference unit #2B).
- vii. Stabilized/ Debutanized Reformate RON: 102 minimum (for reference unit #2C).

Note: 1: Cut-off date for meeting the criteria will be reckoned as the last day of the month previous to the one in which tender is floated.

4.2 **FINANCIAL CRITERIA:**

4.2.1 The average Annual Financial Turnover of the bidder during the last three years of the previous financial years ending 31st March/ 31st December (**depending on the accounting year of the bidder**), should be at least **INR 3540 Lakh (for Indian Bidders)** or **USD 49,73,000 / Euro 45,15,000 (For Foreign Bidders)**.

4.2.2 The financial net worth of the Bidder as per the audited financial results of immediate preceding financial year should be **positive**.

For definition of Networth, refer Note 4 of Annexure A or B or Note 2 of Annexure C of IFB.

4.3 **DOCUMENTS TO BE SUBMITTED BY BIDDER TOWARDS MEETING THE TECHNICAL (EXPERIENCE) CRITERIA (UNDER CLAUSE 4.1 ABOVE):**

4.3.1 Bidder shall submit the following documents as a minimum documentary evidence to support the references provided to meet the criteria of Technical BQC:

Reference for MS Block (NHT (1A), ISOM (1B) & CCR (1C) unit)

a) Details of Reference Unit(s) including names, address, telephone numbers and email of contact person(s) for each reference unit.

b) Relevant documents such as extracts of License Agreement and/ or relevant work orders and/ or contract agreement with the Licensee(s) as a proof of holding Licensing rights. The extracts should include the following:

- i. Cover sheet depicting name of project
- ii. Licensor-Licensee definition
- iii. Technology Definition
- iv. Date of signing
- v. Signature of Licensor-Licensee

c) Relevant documents such as extracts of Engineering Agreement and/ or Design Basis and/ or guarantee document etc. as a proof of Unit design Capacity and product quality of Hydrotreated Naphtha, Isomerate & Reformate.

d) Communication from the Licensee(s)/ Owner(s) to support claim for :

- i. Date of commissioning
- ii. Unit has completed operation of one year meeting desired operation.

e) Additional communication from Licensee(s)/ Owner(s) to support claim for Basic Engineering Design package has been delivered to client for reference unit #1AA, 1BA and 1CA.

Reference units for Catalysts offered by bidder:

a) Details of the catalysts reference unit(s) including name, address, telephone number and email of contact person(s) for each reference unit.

b) Communication from Licensee/ Owner to support claim that the specified catalyst in reference units has completed at least one year of operation within the last fifteen (15) years (Note-1) meeting desired operation.

c) Relevant documents such as extracts of catalyst agreement(s) and/ or purchase order(s) etc. with the licensee/ Unit owner for each catalyst as proof of supply of catalyst.

Note: 1: Cut-off date for meeting the criteria will be reckoned as the last day of the month previous to the one in which tender is floated.

4.3.2 General Requirements:

The Bidder shall ensure submission of complete authentic information/documentation along with the bid.

Wherever specific compliance to the relevant documentation from Licensee(s) in support of the criterion mentioned in qualification criteria clauses above is required post Bid submission, NRL/ EIL reserves the right to directly interact with the Bidder's clients to verify the relevant documentation and the Bidder will render assistance in facilitating that.

Visit to Reference Unit(s):

NRL/ EIL at its own discretion may visit any of the reference unit(s) which is/ are submitted by Bidder in the offer. Bidder shall render assistance in facilitating visit to the reference unit(s). NRL/ EIL may verify all the submitted information by the bidder during the visit to that/ those reference unit(s). Any discrepancy, if found in the information collected by NRL/ EIL during site visit of any reference unit(s) w.r.t. the information submitted by Bidder, Bidder's offer shall be liable for rejection.

4.3.3 DOCUMENTS TO BE SUBMITTED BY BIDDER TOWARDS MEETING THE FINANCIAL CRITERIA:

- 4.3.3.1** For meeting the financial criteria, bidder shall submit with the bid the complete set of audited annual financial statements or a letter from the statutory auditor/ Chartered Accountant (CA) (as per Annexure – A to IFB) or a letter from the bidder duly certified by statutory auditor/ Chartered Accountant (as per Annexure – B to IFB) for the preceding 3 financial years.

The above financial details, as per Annexure – A or B, shall be submitted without any reservation/qualification remarks. In case of any qualification remarks, complete booklet of audited annual financial statements along with auditor's report shall also be submitted with the bid.

Note: CA Certificate (CA not being an employee/Director and not having any interest in the bidder's company) is acceptable where audited accounts are not mandatory as per law of bidder's country and declaration in this regard is given by CA.

- 4.3.3.2** In case, the last financial year closing date is within 9 months of bid due date and audited annual report of immediate preceding financial year is not available, bidder has the option to submit the financial details of the three previous years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate three preceding financial years.

Example, In case, audited annual report of immediate preceding financial year (year ending 31st March) is not available and where bid closing date is up to 31st December, the financial details of the three previous years immediately prior to the last financial year may be submitted. However, in case the bid closing date is after 31st December, it is compulsory to submit the financial details of the immediate three preceding financial years only

- 4.3.3.3** In case a **bidder (a Parent Company) is having wholly owned subsidiaries** but only a single consolidated annual report is prepared and audited which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria **subject to statutory auditor of the bidder certifying that separate annual report of bidder (without the financial data of subsidiaries) is not prepared and audited**

- 4.3.3.4** Further, in case a **bidder is a subsidiary company** and separate annual report of the bidder is not prepared & audited, but only a consolidated annual report of the Parent Company is available, consolidated audited annual report shall be considered

for establishing the financial criteria subject to statutory auditor of the parent company certifying that separate annual report of bidder is not prepared and audited.

In case of a bidder being a subsidiary, separate Audited account is not prepared then a declaration with the financial credentials (Annual Turnover and Net worth) of the bidder certified by the Chief Financial Officer (CFO)/Chief Executive Officer (CEO)/Company Secretary/any Functional Director in the Board of Directors [in case of Limited Company (Private/Public)] shall be required to be submitted for meeting the Financial Criteria

4.3.3.5 In case a Bidder is an **incorporated joint venture (JV)** of two or more companies, where a separate annual report of the JV is not separately published but only consolidated annual report of the JV Parent Company or Parent Companies respectively is available, such **consolidated annual report of the JV Parent company or any one of the JV Parent companies respectively**, shall be considered for the evaluation of the financial criteria

4.3.3.6 In case, **it is not mandatory for a company (Bidding Entity)** to get their accounts audited as per the law of the country, then a declaration (as per Annexure – C) to this effect along with the financial credentials (Annual Turnover and Net worth) issued by the Chief Financial Officer (CFO)/Chief Executive Officer (CEO)/Company Secretary/any Functional Director in the Board of Directors [in case of Limited Company (Private/Public)] shall be considered for evaluation of financial criteria.

Bidder to furnish the Annexure-C duly certified by their auditor without any modification/ reservation/qualification remarks. In case of modification/ reservation/qualification remarks, the declaration shall not be considered as the valid document for BQC evaluation purpose.

In absence of certification by Auditor, Bidder to submit Tax returns filed by the Bidding Entity for collaborating with the financial data as per above mentioned declaration

4.3.3.7 For Foreign bidders, Financial details indicated in **currencies other than US\$** (U.S. Dollar)/Euro in the annual reports, shall be converted to US\$/Euro **at the exchange rate indicated in the audited annual report**,. Where the currency conversion to USD/Euro is not mentioned in the bidder's audited financial statement, the conversion rate of USD/Euro as on last date of Bidder's respective financial year shall be considered based on "RBI reference rate" or "SBI Bill Selling Rate in case RBI Reference Rate is not available" and the Annual Turnover and Net worth figures shall be converted into USD/EURO for Bidder qualification purpose.

4.3.3.8 The Institute of Chartered Accountant of India at its 379th council meeting dated 17-18th December, 2018 made generation of Unique Document Identification Number (UDIN) mandatory for every signature of full time practicing chartered accountant in phased manner for following services:

- 1 All certificates with effect from 1st February, 2019.
- 2 GST and Income Tax Audit with effect from 1st April, 2019.
- 3 All Audit and Assurance Functions with effect from 1st July, 2019.

In view of the above, bidder shall ensure that any certificate/ reports issued/ attested by an practicing chartered accountant in India and submitted in the bid shall mandatorily include the UDIN number. Certificate / reports issued/ attested without UDIN number of practicing chartered accountant in India shall not be considered for evaluation.

The requirement of including UDIN shall not be applicable for certificate/ reports issued/ attested by a chartered accountant practising in Foreign Country.

4.3.4 AUTHENTICATION OF DOCUMENTS:

4.3.4.1 In order to lend credibility and instil confidence in the procurement process, the mechanism for authentication of documents (BQC Documents & MSE Certificate) shall be done as under:

- a) Bidder shall submit documents in support of meeting the Bidder Qualification Criteria/ / MSE Documents duly certified by CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of limited companies (Private/Public Limited).

CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company can either sign all the pages of the documents or submit a certificate signed by them, listing out all the BQC Documents / MSE Documents submitted in the bid along with basic details.

However, in case of Proprietorship/ Partnership firms, the authentication shall be by the Proprietor/ any two partners and also notarised by public notary on all pages of the documents shall be required.

If the above supporting documents are not in English language, then the English translation copy of the same shall also be furnished duly certified, stamped and signed by Local Chamber of Commerce or Indian Embassy in their country or bidder's Embassy in India or any translator in India recognized/authorised by bidder's Embassy.

- b) In addition to above, bidder shall furnish an undertaking in the format enclosed as Annexure-I to IFB, from the same authority(ies) who had signed and authenticated the documents.

4.3.4.2 Bidder's Prime Responsibility

Submission of genuine and authentic documents is the prime responsibility of the bidder. No amount of checking or verification by the buyer shall absolve bidder from his responsibility.

Under the EIL suspension/ banning rules (available on EIL portal www.engineersindia.com), the punishment for such an action is clearly mentioned. Moreover, the Bidding Document additionally indicates other actions against the bidder like encashment of EMD or PBG depending upon the stage of discovery of the fraud/ false documentation. Moreover, the bidder's organisation is responsible for any and all actions of their employees and any claims seeking to pin point the blame on some employee of the bidder and attempting to absolve the bidder's organisation will not be entertained.

Wherever EIL has concern or apprehension regarding the authenticity / correctness of any document, EIL reserves a right of getting the document cross verified from the document issuing authority.

Additionally NRL, reserve the right to verify the BQC Documents with original documents and with end-user.

4.3.4.3 Bidders shall be required to upload the digitally signed authenticated copies of documents for meeting BQC on the e-tendering portal only. Bidders shall also be required to submit the original authenticated documents in physical form to EIL..

4.3.4.4 Wherever the bidder has uploaded the BQC documents on e-tendering website, but documents are not authenticated as per the requirement of bidding document, bidder shall submit the original authenticated document in a separate booklet titled as "Documentation against Bidder Qualification Criteria (Technical & Financial)" with proper index in original. However, in response to any subsequent CQs/TQs issued to the bidders, Bidder has to submit the documents duly authenticated (in original) as stated above in physical form.

- 4.3.4.5** Bidders shall be allowed to submit additional document for any of the work out of the past experience(s) list already submitted along with the bid, to support their meeting the BQC, in case the documents submitted along with the bid are not fulfilling the BQC requirement. Also Bidder can submit document related to new reference of work experience even if not mentioned in the list (past experience) submitted along with the bid.
- 4.3.4.6** Requirement of certification/authentication as stated above shall not be applicable to **published audited annual financial statements in English, if uploaded in e-procurement portal along with the bid or submitted as Original booklet.** In case of non-submission of Original booklet (hard copy), bidder is also required to provide link of their Company website in which the complete audited financial statements with auditor's report are published for verification.
- 4.3.4.7** All documents furnished by the bidder in support of meeting the Technical and Financial criteria of BQC as per IFB shall be uploaded in the e-procurement website in a separate section/booklet along with their offer. This section/booklet shall be titled as **“Documentation against Bidder's Qualification Criteria (Technical and Financial)” with proper index and page numbering.** Refer Instructions to Bidders (ITB) for details.
- 4.3.4.8** Any additional documents other than what are specifically asked in various sections of the bidding document, if deemed necessary to establish the qualifying requirements may be submitted by the Bidder of their own.
- 4.3.4.9** NRL / EIL reserves the right to complete the evaluation based on the details furnished (without seeking any additional information) and / or in-house data, survey or otherwise.
- 4.3.5 IMPORTANT**
- 4.3.5.1 Failure to meet the above Qualification Criteria will render the Bid to be summarily rejected.** Therefore, the Bidder shall in their own interest furnish complete documentary evidence in the first instance itself along with their bid, in support of their fulfilling the Qualification Criteria as mentioned above and other techno-commercial requirements as per bidding document modified to the extent of Amendments, if any.
- 4.3.5.2 Bidders shall not be in Holiday Listing/ Suspension/ Banning / Negative /Constraint list of NRL/EIL.**
The bidders who are on **Black-Listing/ Holiday Listing/Suspension/Banning List/ Negative List /Constraint list** of NRL or EIL as on due date of submission of bid/ during the process of evaluation of the bids, the offers of such bidders shall not be considered for bid opening/evaluation/Award. If the bidding document were issued inadvertently/ downloaded from website, offers submitted by such bidders shall also be not considered for bid opening/evaluation/Award
- 4.3.5.3 Integrity Pact:** Bidders are required to sign and submit the **Integrity Pact** along with their bid. Further Bidders shall be required to **furnish an Affidavit confirming that he is not involved in any case of transgression in terms of Integrity Pact** as per the document provided as **Annexure-II to IFB.** Bidder must upload the scanned copy of Integrity Pact and Affidavit duly signed and stamped by the bidder, within the final bid due date in the e-bid. However, if bidder do not submit the same in e-bid, hard copy of Integrity Pact and Affidavit in original need to be submitted in EIL. Non-submission of Integrity Pact is a rejection criteria.

- 4.3.5.4 The bidder shall submit an Affidavit (On non-judicial stamp paper of appropriate value & duly notarized, or as per applicable laws of Bidder's country) declaring that they are not involved in any case of transgression in the last three years in terms of Integrity Pact immediately before signing of the Integrity Pact, with any other company in any country in respect of any corrupt practices envisaged hereunder or with any Public Sector Enterprise in India or any Government Department in India.

In case, bidder has any previous transgression and are not submitting the Affidavit, they are required to submit all details of previous transgression with the current status of transgression for evaluation as per Integrity Pact and provisions of the bidding document.

- 4.3.5.5 Bidder should **not be under liquidation, court receivership or similar proceedings**. Bidder shall submit **self-certificate** in this regard.

- 4.3.5.6 Bidder to give a declaration regarding their existing Litigation/Arbitration, if any. However, submission of these existing litigation/arbitration details may not be a reason for disqualification. In case, if declaration is not submitted, the bid will be rejected as non-responsive.

In case of Litigation/Arbitration, bidder to confirm that **the current Litigation/ Arbitration, in which bidder is involved will not have any impact in work being tendered or in entering into contract during the validity of offer and performing the contract till all the contractual obligations under contract are performed.**

- 4.3.5.7 Bidder **to give** "a declaration that they have not been suspended or banned or delisted or blacklisted or put on holiday list by any PSU Under MoPNG or by MoPNG.". The declaration submitted by bidder shall be the basis for evaluation of Bidder's offer.

If Bidder is suspended or banned or delisted or blacklisted or put on holiday list by any PSU under MoPNG or by MoPNG itself, the Bidder shall not be considered for further evaluation. If this declaration is not given, the bid will be rejected as non-responsive.

4.3.6 PRE-BID MEETING

- 4.3.6.1 Pre-bid Meeting shall be held at the address mentioned at 3.0 (e) above. Bidders or their authorized representatives are requested to attend the Pre-Bid Meeting so that their queries, if any, related to the Bidding Document, Bidder's Qualification Criteria and Scope of Work can be addressed during the meeting.

- 4.3.6.2 The bidders are requested to send queries/clarifications, if any, as per Format enclosed in the bidding document through e-mail to reach EIL on or before the date mentioned at Cl. 3.0 above. The clarifications shall be provided during the pre-bid meeting. Bidder shall send query in editable soft copy in the format included in the Bidding document through e-mail.

- 4.3.6.3 Bidders are required to participate in pre-bid meeting after going through the entire Bidding document along with BQC requirement. Bidder shall submit all technical and commercial issues separately, on which they need clarification and also to ensure that they possesses all supporting documents for meeting the BQC to get their queries clarified, if required, during the pre-bid meeting to avoid any post-Bid discussion/clarification on this issue.

- 4.3.6.4 Non-attendance of the pre-bid meeting shall not be a cause of disqualification of the Bidder.

- 4.3.6.5 In case any Bidder does not attend the pre-bid meeting, it shall be understood that the Bidder has a clear understanding of the BQC, scope, terms and conditions of the Bidding document and does not have any comment / deviation to the requirement of Bidding document.

4.3.7 SUBMISSION OF BID & IT'S VALIDITY

- 4.3.7.1 Bids are required to be submitted only through Govt. of India CPP Portal as mentioned in clause **3.0** above on or before the Bid submission date and time. Bidders are required to enroll on the above e-Procurement Portal. No enrolment fee would be charged from the bidders. It may also be noted that the price details are required to be filled & submitted only on the Schedule of Price format downloaded from above e-Procurement Portal.
- 4.3.7.2 Bidders in their own interest are requested to enroll on the above Govt. of India CPP portal and upload/submit their bid well in time. In the event of failure in bidder's connectivity with EIL/CPP Portal during the last few hours, bidder is likely to miss the deadline for bid submission. Due date extension request due to above reason may not be entertained.
- 4.3.7.3 Physical Bids / Offers or Bids through any other mode shall not be accepted. The Offers submitted through e-tendering system, as above shall only be considered for evaluation and ordering.
- 4.3.7.4 Bidders to refer Instruction to Bidders for E-Tendering Methodology provided as **Annexure-I to Instructions to Bidders (ITB)**, in the Bidding Document. Bidders are requested to get acquainted with the E-Tendering System in advance and obtain/seek clarifications, if any from EIL and/or CPP Portal Helpdesk, whose contact information is provided in the **Annexure-I to ITB**.
- 4.3.7.5 Bidder then need to login to the site thro' their user ID/ password chosen during registration.
- 4.3.7.6 The **Digital Signature (DSC)** that is registered in the abovementioned e-procurement portal should only be used by the bidder and should ensure safety of the same.
- 4.3.7.7 The EIL/NRL will not be held responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders.
- 4.3.7.8 The e-procurement Portal will show a successful bid updation/submission message after uploading all the bid documents using the DSC of the bidder and bidder shall keep the record of successful submission of bid in the form of auto generated email/acknowledgement received from the system.
- 4.3.7.9 The above email/acknowledgement will act as a proof of bid submission against the bidding document floated in e-procurement portal.
- 4.3.7.10 The bidder should ensure that the bid documents submitted should be complete and in a compatible format so that it can be downloaded and get opened. In the event, such documents could not be opened for any reason, during the bid opening, such bid shall be liable for rejection.
- 4.3.7.11 The time settings displayed in the said e-procurement portal will be valid for all actions of request, bid submission etc. The bidders should follow this time during bid submission.
- 4.3.7.12 The bidders are requested to submit the bids through online e-tendering system to the Tender Inviting Authority (TIA) well before the bid submission end date & time (as per Server System Clock).
- 4.3.7.13 **Validity of bid** shall be for a period of Six (6) Months from the Due Date/Extended Due Date.

4.3.8 GENERAL

- 4.3.8.1 NRL/EIL reserves the right to assess bidder's capability to execute this work by using in-house information and taking into account various aspects such as past performance during evaluation of bids.
- 4.3.8.2 NRL /EIL will not be responsible or liable for cost incurred in preparation, submission & delivery of bids, regardless of the conduct or outcome of the bidding process.

- 4.3.8.3 In case any Bidder is found to be involved in cartel formation, his Bid will not be considered for evaluation / placement of order. Such Bidder will also be debarred from bidding in future.
- 4.3.8.4 Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.
- 4.3.8.5 Unsolicited clarifications to the offer and / or change in the prices during the validity period would render the bid liable for rejection.
- 4.3.8.6 Bids submitted on Consortium or unincorporated Joint-Venture basis shall not be accepted.
- 4.3.8.7 Bidders may view the Bid opening through the above e-procurement portal or may witness the bid opening in EIL Office Complex Sector-16 Gurugram (Haryana).
- 4.3.8.8 OWNER/EIL reserves the right to reject any or all the bids received or annul the bidding process at any time without assigning any reason, whatsoever.
- 4.3.8.9 For detailed specifications, terms and conditions and other details, refer complete Bidding Document.

General Manager (SCM)
Engineers India Limited, Gurugram

(To be printed on Letter Head of Statutory Auditor/CA)

FINANCIAL DETAILS

We, _____, a CA firm having our registered office address _____ and certificate number _____ certify that we are statutory auditor of the Company M/s _____, having its registered office at _____.

OR

We, _____, a CA firm having our registered office address _____ and certificate number _____ certify that statutory auditor is not mandatory for the company M/s _____, having its registered office at _____ as per prevailing law and we are practicing Chartered Accountant, not being an employee or a Director or not having any interest in the company.

Financial details of the above mentioned Company, as per latest available audited balance sheet / Financial Details [either audited by Statutory Auditor (for 1st para above) or certified by Practicing Chartered accountant (for 2nd para above) not being an employee or a Director or not having any interest in the company, as applicable]] are as follows: Auditor/CA to select either of the following options and strike off the other.

- a. In case bidder is a parent company, i.e., having its wholly owned subsidiaries: Auditor to select either of the following options and strike off the other.
- Financial details are of parent company without the financial data of subsidiaries
 - Financial details are of parent company including the financial data of subsidiaries. It is certified that separate annual report of bidder, without the financial data of subsidiaries, is not prepared and audited.

OR

- b. In case bidder is a subsidiary company: Auditor to select either of the following options and strike off the other.
- Financial details are of subsidiary company
 - Financial details are of parent company including the financial data of subsidiaries. It is certified that separate annual report of bidder, i.e., subsidiary, is not prepared and audited.

OR

- c. In case bidder does not have any subsidiary or parent company, Financial details of are of the company itself.

S no.	Description	Year	Value Currency (_____)
1.	Turnover	Latest financial year (_____)	
		Preceding 1 st year (_____)	
		Preceding 2 nd year (_____)	
2.	Average Turnover of Last		

	Three Years		
3.	Net Worth	Latest financial year (_____)	(*)

(*) – Indicate Positive or Negative (Value is not Mandatory)

Note:

1. In case the financial year closing date is within 9 months of bid due date and audited annual report of immediate preceding financial year is not available, bidder has the option to submit the financial details of the three previous years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate three preceding financial years.

Example, In case, audited annual report of immediate preceding financial year (year ending 31st March) is not available and where bid closing date is up to 31st December, the financial details of the three previous years immediately prior to the last financial year may be submitted. However, in case the bid closing date is after 31st December, it is compulsory to submit the financial details of the immediate three preceding financial years only..

2. In case a bidder (Parent Company) is having wholly owned subsidiaries but only a single consolidated annual report is prepared and audited, which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the bidder certifying that separate annual report of bidder (without the financial data of subsidiaries) is not prepared and audited.
3. Further, in case a bidder is a subsidiary company and separate annual report of the bidder is not prepared and audited, but only a consolidated annual report of the Parent Company is available, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the parent company certifying that separate annual report of bidder is not prepared and audited.
4. **Networth calculation:** Networth means paid up share capital, Share Application Money pending allotment* and reserves# less accumulated losses and deferred expenditure to the extent not written off. Networth has been calculated using the following formula, as per provisions of the enquiry document:

Reserves to be considered for the purpose of networth shall be all reserves created out of the profits and securities premium account but shall not include reserves created out of revaluation of assets, write back of depreciation and amalgamation.

*Share Application Money pending allotment will be considered only in respect of share to be allotted.

Accordingly, the definition of Net Worth shall be as follows:

S. No.	Description	As shown in Audited Financial Statement	
		Figure _____ (In _____) Currency	Schedule Reference, Page no., Clause no.
A	Paid up Share capital	XXXX	

S. No.	Description	As shown in Audited Financial Statement	
		Figure _____ (In Currency)	Schedule Reference, Page no., Clause no.
B	Add : Share Application Money pending allotment	XXX	
C	Add : Reserves (As defined above)	XXXX	
D	Less : Accumulated Losses	XX	
E	Less: Deferred Revenue Expenditure to the extent not written off	<u>XX</u>	
F	Net Worth (A+B+C-D-E)	<u>XXXX</u>	

5. **Turnover:** Turnover shall be calculated including Excise Duty / GST(if applicable) but excluding other Incomes.
6. Net worth and Turnover have been calculated using the above mentioned formulae and after giving effect to the impact of Audit Qualifications given in the Audit Report.

Signature
Name &
Designation

Annexure – B (Certification by Statutory Auditor/CA)
(To be printed on Letter Head of Company)

FINANCIAL DETAILS

We, M/s _____, having our registered office at _____ certify that M/s _____ is a CA firm having their registered office address _____ having certificate number _____ are our statutory auditor.

OR

We, M/s _____, having our registered office at _____ certify that statutory auditor is not mandatory for the company as per prevailing law and M/s _____, a CA firm having their registered office address _____ having certificate number _____ are practicing Chartered Accountant, not being an employee or a Director or not having any interest in our company.

Financial details of our Company, as per latest available audited balance sheet/ Financial Details [either audited by Statutory Auditor (for 1st para above) or certified by Practicing Chartered accountant (for 2nd para above) not being an employee or a Director or not having any interest in the company, as applicable]] are as follows: Company to select either of the following options and strike off the other.

- a. In case bidder is a parent company, i.e., having its wholly owned subsidiaries: Company to select either of the following options and strike off the other:
 - i. Financial details are of parent company without the financial data of subsidiaries
 - ii. Financial details are of parent company including the financial data of subsidiaries. It is certified that separate annual report of bidder, without the financial data of subsidiaries, is not prepared and audited.

OR

- b. In case bidder is a subsidiary company: Auditor to select either of the following options and strike off the other.
 - i. Financial details are of subsidiary company
 - ii. Financial details are of parent company including the financial data of subsidiaries. It is certified that separate annual report of bidder, i.e., subsidiary, is not prepared and audited.

OR

- c. In case bidder does not have any subsidiary or parent company, Financial details of are of the company itself.

S no.	Description	Year	Value Currency (_____)
1.	Turnover	Latest financial year (_____)	
		Preceding 1 st year (_____)	
		Preceding 2 nd year (_____)	
2.	Average		

	Turnover of Last Three Years		
3.	Net Worth	Latest financial year (_____)	(*)

(*) – Indicate Positive or Negative (Value is not Mandatory)

Note:

1. In case the financial year closing date is within 9 months of bid due date and audited annual report of immediate preceding financial year is not available, bidder has the option to submit the financial details of the three previous years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate three preceding financial years.

Example, In case, audited annual report of immediate preceding financial year (year ending 31st March) is not available and where bid closing date is up to 31st December, the financial details of the three previous years immediately prior to the last financial year may be submitted. However, in case the bid closing date is after 31st December, it is compulsory to submit the financial details of the immediate three preceding financial years only.

2. In case a bidder (Parent Company) is having wholly owned subsidiaries but only a single consolidated annual report is prepared and audited, which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the bidder certifying that separate annual report of bidder (without the financial data of subsidiaries) is not prepared and audited.
3. Further, in case a bidder is a subsidiary company and separate annual report of the bidder is not prepared and audited, but only a consolidated annual report of the Parent Company is available, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the parent company certifying that separate annual report of bidder is not prepared and audited.
4. **Networth calculation:** Networth means paid up share capital, Share Application Money pending allotment* and reserves# less accumulated losses and deferred expenditure to the extent not written off. Networth has been calculated using the following formula, as per provisions of the enquiry document:

Reserves to be considered for the purpose of networth shall be all reserves created out of the profits and securities premium account but shall not include reserves created out of revaluation of assets, write back of depreciation and amalgamation.

*Share Application Money pending allotment will be considered only in respect of share to be allotted.

Accordingly, the definition of Net Worth shall be as follows:

S. No.	Description	As shown in Audited Financial Statement	
		Figure (In _____) Currency	Schedule Reference, Page no.,

			Clause no.
A	Paid up Share capital	XXXX	
B	Add : Share Application Money pending allotment	XXX	
C	Add : Reserves (As defined above)	XXXX	
D	Less : Accumulated Losses	XX	
E	Less : Deferred Revenue Expenditure to the extent not written off	<u>XX</u>	
F	Net Worth (A+B+C-D-E)	<u>XXXX</u>	

5. **Turnover:** Turnover shall be calculated including Excise Duty/GST (if applicable) but excluding other Incomes.
6. Networthand Turnover has been calculated using the above mentioned formulae and after giving effect to the impact of Audit Qualifications given in the Audit Report.

Signature
Name & Designation

Sign and Stamp of Statutory auditor / CA (on all pages)

Annexure – C (Certification by CEO/CFO/CS/any Functional Director from Board of Directors)

(To be printed on Letter Head of Company)

FINANCIAL DETAILS

I, _____ S/o/D/o of _____, working as CEO/CFO/Company Secretary/any functional Director of Board of Directors (indicate, as applicable) of the Company _____ having its registered office at _____ certify the following :

“I S/o/ D/o certify that financial statements/accounts of M/s (Name of Company) have not been audited in the previous three financial years in accordance with the law of the country (name of the Country).”

I further certify that the Financial details of (Name of Company) are as follows:

S no.	Description	Year	Value Currency (_____)
1.	Turnover	Latest financial year (_____)	
		Preceding 1 st year (_____)	
		Preceding 2 nd year (_____)	
2.	Average Turnover of Last Three Years		
3.	Net Worth	Latest financial year (_____)	(*)

(*) – Indicate Positive or Negative (Value is not Mandatory). For all other details absolute value is required to be put.

Note:

1. In case the financial year closing date is within 9 months of bid due date and audited annual report of immediate preceding financial year is not available, bidder has the option to submit the financial details of the three previous years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate three preceding financial years.

Example, In case, audited annual report of immediate preceding financial year (year ending 31st March) is not available and where bid closing date is up to 31ST December, the financial details of the three previous years immediately prior to the last financial year may be submitted. However, in case the bid closing date is after 31st December, it is compulsory to submit the financial details of the immediate three preceding financial years only.

2. **Net worth calculation:** Net worth means paid up share capital, Share Application Money pending allotment* and reserves# less accumulated losses and deferred expenditure to the extent not written off. Net worth has been calculated using the following formula, as per provisions of the enquiry document:

Reserves to be considered for the purpose of net worth shall be all reserves created out of the profits and securities premium account but shall not include reserves created out of revaluation of assets, write back of depreciation and amalgamation.

*Share Application Money pending allotment will be considered only in respect of share to be allotted.

Accordingly, the definition of Net Worth shall be as follows:

S. No.	Description	As shown in Audited Financial Statement	
		Figure (In _____) Currency	Schedule Reference, Page no., Clause no.
A	Paid up Share capital	XXXX	
B	Add : Share Application Money pending allotment	XXX	
C	Add : Reserves (As defined above)	XXXX	
D	Less : Accumulated Losses	XX	
E	Less : Deferred Revenue Expenditure to the extent not written off	<u>XX</u>	
F	Net Worth (A+B+C-D-E)	<u>XXXX</u>	

3. **Turnover:** Turnover shall be calculated including Excise Duty/GST (if applicable) but excluding other Incomes.
4. Net worth and Turnover have been calculated using the above mentioned formulae.
5. Bidder to list out all the documents in the index, alongwith all back-up documents related to financial statements along with basic details duly referred and number of pages.
6. Currency conversion Rate as per RBI reference Rate or if not available then SBI Bill Selling Rate as on the last Date of respective Financial Year shall be considered for evaluating Financial Criteria.

DECLARATION

I, _____ S/o/D/o of _____, working as CEO/CFO/Company Secretary/ any functional Director in Board of Directors (indicate, as applicable) of the Company _____ having its registered office at _____ with reference to our bid _____ against the Bidding document no. _____, declare that in case, at a later date, any of the details referred to above in this Annexure-IIC is found to be false/forged or fabricated, I, shall be held responsible for the same for and on behalf of my Company and EIL/Owner has every right to take action against me and my Company, as deemed fit, as per provisions of the bidding documents including EIL/Owner's right to put our Company on Holiday/Black list for future business with EIL/Owner.

Specimen Signature of authorized representative

Signature

Name & Designation (CEO or CFO or Company Secretary/ any functional Director in Board of Directors)

UNDERTAKING**Name of Work****Bidding Document No. :**

I, _____ S/o/D/o of _____, working as _____ {CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company or proprietor / any two partners in case of Proprietorship / Partnership firms (indicate, as applicable)} of the Company _____ having its registered office at _____ certify that all the details including documents pertaining to Bidder Qualification Criteria signed by undersigned vide our offer reference _____ against your Enquiry document _____, are true, authentic, genuine and exact copy of its original.

It is certified that none of the documents are false/forged or fabricated. All the documents has been submitted with full knowledge of (i) the provisions of the Indian laws in respect of offences including, but not limited to those pertaining to criminal breach of trust, cheating and fraud (ii) provisions of bidding conditions and iii) Suspension / Banning rules of Owner/ EIL, which entitle the Owner/EIL to initiate action in the event of such declaration turning out to be a misrepresentation or false representation.

I further certify that further documents, if any, required to be submitted by our company, shall be submitted under my knowledge and those documents shall also be true, authentic, genuine, exact copy of its original and shall not be false/forged or fabricated.

I also declare that in case, at a later date, any of the document submitted in our bid referred above is found to be false/forged or fabricated, I, shall be held responsible for the same and EIL/Owner has every right to take action against me and my company, as deemed fit as per law of land and provisions of the Bidding Documents and EIL/Owner's right to put our company on Suspension / Banning list for future business with EIL/Owner.

Specimen Signature of authorized
representative

Signature

Name & Designation (CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company or proprietor / any two partners in case of Proprietorship / Partnership firms (indicate, as applicable))

Notarised by Notary Public (applicable only in case of Proprietorship / Partnership firm)

AFFIDAVIT W.R.T. INTEGRITY PACT
[FORMAT OF AFFIDAVIT]

[On non-judicial stamp paper of appropriate value & duly notarized, or as per applicable laws of Bidder's Country]

Name of Work:

Bidding Document No.:

Name of Project:

Name of Client: NUMALIGARH REFINERY LIMITED(NRL), GOLAGHAT, ASSAM

I, [Insert Name], S/o / D/o [Insert Father's name], resident of [Insert Residential Address] employed as [Insert Designation] WITH [Insert Company/Employer's Name] having its office at [insert office address], PIN _____, do hereby solemnly affirm and state as under:-

1. That I am the authorized representative and signatory of M/s [Insert Company Name], and I am the citizen of [Insert the Country Name]
2. That I am fully aware of the facts, and I have read and understood the requirements of Integrity Pact, and competent and authorized to swear this Affidavit.
3. That I confirm that the Bidding entity [Insert name of the Company] is not involved in any case of transgression in terms of Integrity Pact in the last THREE YEARS with any other Company in any Country confirming to or with any other Public Sector Undertaking/Enterprise in India that could justify our exclusion from the bidding process for the abovementioned Bidding Document.
4. That the Statement given herein above is true and correct, and no material facts have been concealed or distorted.
5. I depose accordingly

DEPONENT

VERIFICATION

I, the deponent above named, do hereby verify that the factual contents of this Affidavit are true and correct. No part of it is false and nothing material has been concealed therefrom.

Verified at on thisday of [Insert Month] [Insert Year]

DEPONENT