INVITATION FOR BIDS (IFB)

FOR

SUPPLY OF LOADING / UNLOADING ARMS (RAIL/ ROAD) FOR SILIGURI MARKETING TERMINAL

OF NRL EXPANSION PROJECT OF NUMALIGARH REFINERY LIMITED

BIDDING DOCUMENT NO.: SM/B302-000-LL-MR-4060/24

E-TENDER NO: 2022_EIL_722672_1

(DOMESTIC COMPETITIVE BIDDING)

[e-Tendering]

1. INTRODUCTION:

M/s Numaligarh Refinery Limited (NRL) is a Government of India Enterprise and a subsidiary of M/s Oil India Ltd. NRL operates a 3.0 MMTPA Refinery at Numaligarh in the district of Golaghat, Assam since the year 2000.

NRL is now in the process of executing a major expansion project of capacity augmentation from the present 3.0 MMTPA to 9.0 MMTPA. The required additional quantity of crude oil is planned to be imported through Paradip Port in Odisha. A cross country pipeline of around 1630 km length shall be laid from Paradip Port to Numaligarh for transporting 8.0 MMTPA of imported crude. Additionally, one crude oil pipeline of approximately 4.2 km length shall be laid for transporting 6.0 MMTPA of imported crude from IOCL Refinery at Paradip to NRL's Crude Oil Import Terminal (COIT) at Paradip.

Engineers India Ltd. (EIL), New Delhi has been appointed the Engineering, Procurement and Construction Management (EPCM) Consultant for this project. EIL, on behalf of NRL, invites e-bids under supply of Loading / Unloading Arms (Rail / Road), for subject Tender from eligible bidders with sound technical and commercial capabilities meeting the Bidder's Qualification Criteria stated in Cl. 5.0 below.

2. BRIEF SCOPE:

Design, engineering, manufacture/supply, procurement of materials and bought out components, assembly at shop, inspection, testing, painting, packing, supply and supervision of erection, testing, commissioning & performance guarantee test run of Loading / Unloading Arms (Rail / Road).

Sl. No.	Item Tag no.	Group	Type of loading arm	Size	Total Quantity	Fluid Handled	Type of Loading (Top / Bottom)
1.	6P25-LA -1101/ 1102/1103/1104	F1	Road	4 inch	4 Nos.	MS liquid	Bottom
2.	6P25-LA-1111/1112 /1113/1114/1115	F1	Road	3 inch	5 Nos.	MS Vapour Recovery	Bottom
3.	6P25-LA-0701/ 0702/ 0703/ 0704	F1	Road	4 inch	4 Nos.	HSD liquid	Bottom
4.	6P24-LA-1101A/B to 6P24-LA-1125A/B	F2	Rail	3 inch	50 Nos	MS Liquid	Top
5.	6P24-LA-0701A/B to 6P24-LA-0725A/B	F2	Rail	3 inch	50 Nos	HSD liquid	Top

For complete details, refer bid document.

3. TIME SCHEDULE FOR DELIVERY / COMPLETION:

10 Months on FOT Site basis on freight prepaid & door delivery basis from the date of Letter of Acceptance. Date of receipt of materials at site shall be considered as date of delivery.

4. SALIENT DETAILS:

a)	Bidding Document & subsequent Amendment (if any) available on Website for viewing & downloading, **and its fee**		The complete Bidding Document can be viewed and downloaded from CPP Portal having URL **https://eprocure.gov.in/eprocure/app**) Tender details are also available in EIL website http://tenders.eil.co.in **Cost of Bidding Document: NIL**
b)	Bidding Document available on Website	:	From 11.11.2022 to 05.12.2022
c)	Last date of Receipt of Bidder's Queries	:	On 17.11.2022
d)	Date of Pre Bid Meeting	:	at 1100 Hrs. (IST) on 18.11.2022 (*) online through video conferencing (VC) a the following link: **You're invited to join a Microsoft Teams meeting** Title: PREBID MEETING FOR SUPPLY OF LOADING UNLOADING ARMS Time: Friday, November 18, 2022 at 11:00:00 AM India Standard Time Join on your computer or mobile app Click here to join the meeting
e)	Last Date and time of Online submission of Bids (Bid Due Date) and Mode of Bid Submission	:	Up to 1200 Hrs. (IST) on 05.12.2022 **Online submission (e-Bids)** through CPP Portal **Bid submitted through any other mode shall not be acceptable.**
f)	Online Opening of Techno-commercial Unpriced Bid	:	1400 Hrs. (IST) on 06.12.2022 (*)
g)	Bid Validity	:	Bid shall be valid for **03 Months from the Bid Due Date** (#). (#) - Final BDD after extensions, if any.

h)	Earnest Money Deposit / Bid Security	:	Bidder to submit Earnest Money Deposit/ Bid Security for the value as mentioned below – GROUP / AMOUNT F1 / INR 0.32 Lakhs F2 / INR 1.09 Lakhs F1+F2 / INR 1.41 Lakhs
i)	Date of Opening of Priced Bids	:	Date & time shall be intimated later
j)	Contact details of dealing officer	:	Name : Ms. Sunita Mitra Designation: Sr. GM (SCM) Phone No. & Extn :+91-11-2676 8171 / 3169/ 3504 E-mail : shyamal.biswas@eil.co.in; manoj.kumar.pur@eil.co.in; s.mitra@eil.co.in
k)	Communication address for submission of documents, in hard copy	:	Engineers India Ltd, EI Bhawan, 1, Bhikaji Cama Place, New Delhi – 110066 Ms Sunita Mitra – Sr.GM (SCM) (Job no. B302)

If dates identified as (*) above happen to be a declared holiday in EIL New Delhi, the next working day shall be considered.

All amendments, time extension, clarifications, etc. will be uploaded in the above website only, and will not be published in Newspapers. Bidders should regularly visit the above website to keep them updated and submit their Bids based on the latest information/instructions hosted in the above e-Procurement Portal.

Request for extension or queries received from any bidder on a date which is less than four working days prior to the bid due date may be ignored, since there will not be adequate time for proper communication with Client and other Bidders.

5. BIDDER QUALIFICATION CRITERIA (BQC):

Bidder may quote for 1 (one) or both groups, however groups shall be awarded on overall least cost to NRL basis. Methodology of least cost is specified in Bid Data Sheet. Bidder to note that, one fixed price is to be quoted for grouped items. The groups of items are identified as F1, F2 where F1 indicates one group and so on. Grouped items shall not be split ordered.

5.1. TECHNICAL QUALIFICATION CRITERIA

5.1.1 The bidder shall be a manufacturer and supplier of Loading arms (Rail / Road) as a single point responsibility vendor (SPRV).

5.1.2 For Bottom Loading Arms (Group F1)

Bidder shall have designed, engineered, manufactured and supplied in a single or multiple projects of at least two (2) nos. Bottom loading Arms for Hydrocarbon service, which shall have been commissioned within the period not exceeding Seven (7) years and not less than one (1) year reckoned from bid due date ($).

($: In case of extended bid due date, final bid due date shall be considered.)

5.1.3 For Top Loading Arms (Group F2)

Bidder shall have designed, engineered, manufactured and supplied in a single or multiple projects of at least fifteen (15) nos. Top loading Arms for Hydrocarbon service, which shall have been commissioned within the period not exceeding Seven (7) years and not less than one (1) year reckoned from bid due date ($).

($: In case of extended bid due date, final bid due date shall be considered.)

Bidders can quote either both (i.e. Top and Bottom) (or) any one type of Loading Arm. Bidder shall meet clause no. 5.1.1, 5.1.2 & 5.1.3 above for qualifying for both Bottom & Top Loading arms. For qualification of bottom loading arms, bidder shall meet clause no. 5.1.1 & 5.1.2 above. For qualification of Top loading arms, bidder shall meet clause no. 5.1.1 & 5.1.3 above.

For qualification of the Bidder, the above clauses shall be read in conjunction.

5.2. FINANCIAL QUALIFICATION CRITERIA

5.2.1. **Annual Turnover:** Minimum average annual turnover during three preceding financial years of the bidder as per the audited annual financial results shall be as per following:

Group No	Minimum Average Annual Turnover
F1	INR 9.45 Lakh.
F2	INR 32.55 Lakh
F1+F2	INR 42.00 Lakh.

5.2.2. **Net-worth:** The net-worth of the Bidder as per the immediate preceding year's audited annual financial results shall be positive.

Further, negative Net worth shall not be rejection criteria for CPSEs. Contract award shall be purely on competitive basis and CPSEs having negative Net worth shall furnish an undertaking in their Bid that performance shall not be compromised.

5.2.3. **Working Capital:** Working Capital of Bidder as per the immediate preceding year's audited annual financial results shall be as per following -.

Group No	Minimum Working Capital
F1	INR 3.15 Lakh.
F2	INR 10.85 Lakh
F1+F2	INR 14.00 Lakh.

If the bidder's working capital is inadequate, the bidder should furnish a letter for line of credit (**as per Annexure-C of IFB**) from any scheduled commercial bank in India having net worth not less than INR 100 Crore, confirming the availability of the fund based line of credit for the respective amount specified above, irrespective of overall position of the working capital.

The Line of Credit, shall be for the total value of Working Capital as per the requirement indicated above, i.e. cumulative value of working capital for quoted group.

The letter shall provide the status of fund-based line of credit as on any date between the date of enquiry and bid due date. **In case of non-submission of required letter from bank in the Bid, Bidder shall not be given another opportunity to submit the letter even if techno-commercial clarifications are being sought from the Bidders and this may become a cause of disqualification.**

If the bank letter submitted in the bid is carrying certain shortcomings, then the bidder shall be asked to clarify or make simple corrections in the language of the bank letter only if techno-commercial clarifications on other issues are being sought from the bidders. In case of such clarifications/ corrections, the same shall be submitted as a supplementary letter from the bank.

However, the following changes shall not be allowed in the bank's letter:

- The amounts given in the letter submitted along with the bid shall not be permitted to be altered by any subsequent letter from the same bank or any other bank.
- Replacement of the letter by another letter from the same or different bank.

The LOC for working capital shall be from a single bank only. However, banking syndicate shall be allowed wherein a group of banks can jointly underwrite and jointly lend money to the bidder. In case of Banking syndicate also declaration letter for meeting working capital shall be from a single bank only, on behalf of banking syndicate.

5.2.4. In case a bidder submits letters from multiple banks, the highest working capital amongst the entire bank shall only be considered for BQC evaluation.

5.2.5. **CALCULATION OF ANNUALTURNOVER, NET WORTH AND WORKING CAPITAL**

a) **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 shall be calculated using the following formula:

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.**

Description		**Values <in Currency>**	**Reference (Page no., Clause etc.)**
Paid up Share capital (A)	:		
Add: Share Application Money pending allotment (B)	:		
Add: Reserves (As defined above) (C)	:		
Less: Accumulated Losses (D)	:		
Less: Deferred Revenue Expenditure to the extent not written off (E)	:		
Net Worth (A+B+C-D-E)	:		

b) **Working Capital calculation:** Working Capital shall be **Current Assets minus Current Liabilities**.

If the total working capital requirement is required INR 14 Lakhs (for both groups) cumulatively for both quoted groups, the bidder may meet the required working capital in two ways i.e. (i) either by the value of working capital calculated as Current Asset minus Current Liability specified in Balance sheet for immediate preceding years Audited Financial Statement. Or (ii) submitting a LOC (Line of Credit) of value INR 14 Lakhs.

Illustration 1:

In case Bidder's Working Capital is calculated as INR 10 Lakhs and Bidder has submitted LOC from bank for an amount of INR 4 Lakhs, then Bidder's Working Capital shall be considered as INR 10 Lakhs.

Illustration 2:

In case Bidder's Working Capital is calculated as INR 10 Lakhs and Bidder has submitted LOC from bank for an amount of INR 14 Lakhs, then Bidder's Working Capital will be considered as INR 14 Lakhs.

c) **Turnover (for the Financial Statement pertaining to post GST regime):** Turnover shall be calculated excluding GST and other Incomes.

[**Note:** If the financial Statements is prior to implementation of GST, and the Excise Duty is shown extra in the Financial Statement, the Turnover shall be inclusive of Excise Duty but excluding other income]

5.2.6. Financial years/ previous period as above shall be reckoned from the due date of submission of bids.

5.3. DOCUMENTS AND DATA REQUIRED WITH BID

Bidders are required to submit all such past experience (s) (PTR) meeting the BQC along with relevant supporting documents in the first instance itself, along with the bid to justify that the bidder meets the Qualification criteria as given above. Accordingly, only such past experience (s) shall be considered for qualification, details of which are provided in the bid by the bidder and subsequently no additional past experience (PTR) shall be sought from the Bidder.

5.3.1. Documents towards Technical Qualification Criteria:

Bidder shall submit the following documents to establish that the bidder meets Qualification requirements as per clause no. 5.1 of this document.

a) Duly filled in, signed & stamped Experience Record Pro-forma (ERP) as enclosed with the bid document, together with all back-up documents specified, duly authenticated as required.

b) Bidder shall also submit duly filled-in, signed and stamped SPRV letter format attached as Annexure-F and Annexure-G to IFB to meet cl. no. 5.1.1 above.

c) Following documentary evidence towards meeting PTR requirements (as per cl. no. 5.1.1 above), based on which qualification is sought:

• Proof of manufacturer	:	Like copy of Proof of manufacturer issued by govt / statutory body etc.,
• Proof of order	:	Like copy of Purchase Order/Work Order/ LOI / LOA etc.,
• Proof of supply	:	Like copy of Inspection release note (IRN) / Proof of delivery (Bill of lading) etc.,

• Proof of commissioning	:	Like copy of Commissioning certificate / Performance Guarantee Test run, Minutes of Meeting etc.,
• Proof of technical parameters	:	Like GAD, Technical Data Sheet / any other technical document in support of meeting the technical parameters.

Note: Above is indicative list of documents. Bidder shall ensure that all requisite documents are furnished in the bid to justify qualification of bidder with respect to Bidder qualification requirements.

d) General Supply Reference List of Loading / Unloading Arms (Rail / Road)

5.3.2. **Documents towards Financial Qualification Criteria**:

Bidder shall submit any one of the following documents to substantiate the Financial BQC:

(i) Complete **Audited Financial Statements for last three years** (which includes 'Balance Sheet' and 'Profit & Loss Account' along-with the all schedules, Notes referred to therein and the Auditor's report), **OR**

(ii) **Financial Details** of Bidder, from the Statutory Auditor (SA)/ Chartered Accountant (CA) (*), **on the letter head of Statutory Auditor/CA(*)** (in the format enclosed as per **Annexure-II to IFB**), **OR**

(iii) **Financial Details** of Bidder, **on the letter head of Bidder**, duly **certified by Statutory Auditor/ CA (*)** (in the format enclosed as per **Annexure -III to IFB**).

(*) The letter from CA in place of Statutory Auditor is acceptable where audited accounts are not mandatory as per law at the time of preparation of financial statement for a particular financial year. Also CA shall not be an employee/ Director and not having any interest in the Bidder's company/Firm.

The above financial details, as per **Annexure -D to IFB or** as per **Annexure - E to IFB**, shall be submitted **without any reservation/ qualification remarks**. In case of any reservation/qualification remark, Complete Audited Financial Statement, as above, shall also be submitted with the Bid.

Notes towards Financial Documentation:

a) Complete Audited Financial Statement (which includes 'Balance Sheet' and 'Profit & Loss Account' along-with all schedules, Notes referred to therein and the Auditor's report) audited and issued till the final bid due date (including extended bid due date).

b) **Financial Statements of Latest Years:** In case the last financial year's closing date was within 9 months prior to Bid due date and Complete Audited Financial Statement of last financial year are not available, Bidder has the option to submit the financial details of the three previous financial years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate preceding three financial years.

In case by any prevailing circular/notification/guideline GOI has given any extension to defined Auditing period of Annual Financial Statement, this 9 months period will be considered accordingly. For meeting the Financial Criteria, Bidders shall be required to submit the audited Annual Reports / Financial Statements of the Company as per provision of bidding document, audited and issued till the final bid due date (including extended bid due date).

5.3.3. **Unique Document Identification Number (UDIN):** Bidder shall ensure that the certificate/reports issued/attested by practicing Chartered Accountant (CA)/Statutory Auditor in India shall contain Unique Document Identification Number (UDIN) of the CA, without which these Certificates/ reports shall not be considered for evaluation.

However, this requirement of including UDIN shall not be applicable for certificate/reports issued/attested by a CA practicing in foreign country.

5.3.4. **Authentication of BQC documents [together with documents against MSE, if applicable]:**

a) It is Bidder's prime responsibility to submit genuine and authentic documents. No amount of checking or verification by EIL/NRL shall absolve Bidder from his responsibility.

b) Bidder shall submit documents in support of meeting the Bidder Qualification Criteria [together with documents against MSE, if applicable], meeting the authentication process as under:

i. By CEO / CFO / Company Secretary (CS) 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 as per **Annexure-A** to IFB **[Format-A]**, listing out all the BQC documents submitted in the Bid along with basic details, duly referenced.

Or

By the Proprietor / any two Partners and also Notarised by Public Notary on all pages of the documents in case of Proprietorship / Partnership firms.

And

ii. In addition to above, Bidder shall furnish an undertaking in the format enclosed herewith as per **Annexure-B to IFB [Format-B]**, from the same authority (authorities) who had signed and authenticated the documents. **Such undertaking shall also be notarized by Notary Public in case of Proprietorship / Partnership firm.**

c) Requirement of certification/authentication as stated above shall not be applicable to published audited annual financial statements in English, if original booklets are submitted.

d) **Bidder shall upload the authenticated copies of documents duly digitally signed, on the e-procurement website**. Hence submission of physical document is not required.

5.3.5. **Language of Documents:**

If the supporting BQC documents are not **in English language**, then copies of the **English translation** of the same shall also be furnished duly certified, stamped and signed, as per the convention followed by the concerned authority in the respective country, by any one of the following authorities:

a) Local Chamber of Commerce, or
b) Indian Embassy in Bidder's country, or
c) Bidder's Embassy in India, or
d) Any translator in India recognized/ authorized by Bidder's Embassy.

5.3.6. **Experience of Own Projects:**

A job executed by a Bidder for its own plant/projects shall not be considered as experience for the purpose of meeting the Qualification Criteria of the Enquiry document.

However, Jobs executed for Subsidiary/ Fellow Subsidiary / Holding company shall be considered as experience for the purpose of meeting BQC, subject to submission of additional document towards "tax paid invoice(s) duly certified by Statutory Auditor of the Bidder or consolidated statement issued by Statutory Auditor of the Bidder towards payments of statutory tax" in support of the job executed for Subsidiary/ Fellow subsidiary / Holding company.

In case referred Project falls under "No Tax Area" (like SEZ), Bidder can submit certificate from their Statutory Auditor to this effect in place of Tax paid invoice.

Chartered Accountant (CA) (in place of Statutory Auditor) is acceptable where audited accounts are not mandatory as per law for latest financial year. Also CA shall not be an employee/ Director and not having any interest in the Bidder's company/Firm.

6. **Earnest Money Deposit (EMD) / Bid Security**;

6.1. Bids must be accompanied with Earnest Money Deposit / Bid Security as per proforma enclosed in GCC of value as in mentioned clause no 4(h).

6.2. Bids not accompanied with requisite Earnest Money deposit / Bid Security shall be considered as non-responsive and such Bids shall be summarily rejected.

6.3. Bidder must submit original EMD in a sealed envelope to Tender issuing Authority (instructions and address mentioned in ITB) within bid due date time and upload a scan copy of EMD or proof of submission of online EMD on e-Tendering Website. The procedure for online submission of EMD shall be as per ITB.

6.4. In case bidder makes online payment towards EMD but fails to upload the scanned copy of proof of online EMD submission their bid shall not be considered for evaluation.

6.5. In case the bidder fails to submit the original EMD within bid due date and time, then their bid shall be rejected irrespective of the fact that a copy of EMD / proof of EMD submission was earlier uploaded by the bidder.

6.6. EMD exemption shall be applicable for Micro or Small Enterprises registered with Udyam Registration as per The Gazette of India notification of Ministry of Micro, Small and Medium Enterprise. The certificate issued should be valid on the date of opening of unpriced bid.

6.7. There will be no waiver of EMD for Public Sector undertakings of Central or State governments.

6.8. For further clarification refer Cl. No. 14 of ITB for further clarifications.

7. **GENERAL**

7.1. Owner / EIL reserve the right to evaluate the Bids using in-house information.

7.2. Bidder should not be under liquidation, court receivership or similar proceedings.

7.3. Bidder to inform the status of their being on black listing / holiday listing by EIL/NRL. Bidders who are on holiday list of EIL/NRL shall not be considered for evaluation. Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL.

7.4. Bidder shall comply the provision for procurement from a bidder which shares a land border with India.

7.5. NRL / EIL shall not be responsible or liable for cost incurred in preparation, submission & delivery of Bids, site visit, participating in the discussion and other expenses incurred during the Bidding process, regardless of the conduct or outcome of the Bidding process.

7.6. In case, any Bidder is found to be involved in cartel formation, their Bid shall not be considered for evaluation/placement of order. Such Bidder shall be put on Holiday /

blacklisted / debarred from bidding in future for EIL and appropriate proceeding shall be initiated against the Bidder.

7.7. Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.

7.8. NRL / EIL reserves the right to reject any/or all the Bids received or annul the Bidding process at any time at their sole discretion without assigning any reason thereof.

7.9. Unsolicited clarifications to the offer and/ or change in the prices during the validity period would render the bid liable for rejection.

7.10. Class I and Class II suppliers are eligible to quote for this enquiry. Purchase preference as per Make In India policy shall be applicable for Class I suppliers only.

7.11. Purchase preference for MSE bidders shall be applicable for this enquiry.

7.12. BQC relaxation to start ups and MSE bidders shall not be applicable.

7.13. Owner / EIL reserve the right to complete evaluation of the bidder as per the details furnished by bidder without seeking any additional information / document.

7.14. For terms and conditions and other details/Specifications, refer complete Bidding document and subsequent Amendment(s), if any.

7.15. Clarification, if any, can be obtained from Mr. S. Biswas / Mr. Manoj Kumar / Ms Sunita Mitra through following number.
Telephone No. +91-11-2676 8171 / 3169 / 3504 E-mail: shyamal.biswas@eil.co.in; manoj.kumar.pur@eil.co.in; s.mitra@eil.co.in

Very truly yours,
For & on Behalf of NRL

(SUNITA MITRA)
SR. GM (SCM)
ENGINEERS INDIA LIMITED