NOTICE INVITING TENDER

Date : 27. 11 .2019

SALIENT DETAILS OF THE TENDER NOTICE

Two parts ONLINE bid (E-tender) offers are requested from competent bidders against the tender having salient features as mentioned below:

Name of Work:	**PROJECT MANAGEMENT CONSULTANCY SERVICES FOR NUMALIGARH REFINRY EXPANSION PROJECT (M-PMC AND EPCM-1)**
Tender No. & Date :	**OC10000322/JBS dated 27.11.2019**
Bidding Document & subsequent addendum /Corrigendum (if any) available on Website for viewing & downloading	The complete document is available on CPP Portal. (https://eprocure.gov.in/)
Tender Publish Date, document download & Bid Submission start date & time	27.11.2019 at 17.00 hrs.
Last date of Receipt of Bidder's Queries for Pre-Bid Conference	07.12.2019 at 17.00 hrs.
Pre-Bid Conference (Date, Time, Venue, Contact Person)	11.12.2019 & 12.12.2019 (both days) at 09.30 hrs. **Venue :** Conference Room, NRL Transit Flat I House no.C-2, Sector-26, NOIDA, UP-201301, **Land Mark**: Near Police Chowki, Opposite Dr. Bhimrao Ambedkar Multispeciality Hospital **Contact Person for Pre-Bid Meeting :** **Sri Subul Haloi, Manager (Projects)** **Email – subul.haloi@nrl.co.in** **Sri JB Sarma, DGM (Project Comml.)** **Email – Jyoti.sarma@nrl.co.in** (Pre-bid queries shall be forwarded to NRL in the format provided for the same in Bid Document as per the date mentioned above)
EMD Submission End Date:	27.01.2020
Tender document download & Bid Submission end date & time	28.01.2020 at 11.00 hrs.
Bid opening date & time (Technical Bid)	29.01.2020 at 11.00 hrs. (*)
Contact Person for any query/ clarification	Mr. JB Sarma, DGM (Project-Commercial), Email- jyoti.sarma@nrl.co.in
Online Opening of Priced Bids of Techno-Commercially Accepted Bidders	On date & time to be intimated later on to techno-commercially acceptable & qualified bidders

Earnest Money Deposit **(EMD)**	Rs. 1,00,000.00 (Rs. One lac only), irrespective of bidders quoting either one or both the groups. **Bidders are required to submit the EMD amount online through the link https://easypay.axisbank.co.in/nrl i.e. within the date as mentioned at Tender Schedule. Please note that EMD amount only in online mode is acceptable and no other mode i.e. offline or hard copy is not acceptable.**

Project Completion Schedule:

Time Schedule for M-PMC:

Activity	Timeline
Mechanical completion of units:	44 months from the date of Kick of meeting.
Mechanical completion of Utility & offsite:	38 months from the date of Kick of meeting.
Commissioning:	Within 4 Months after Mechanical Completion.
Project Closure:	Within 6 Months from Commissioning.

Time Schedule for EPCM-1:

Activity	Timeline
Mechanical completion:	42 months from date of Kick of meeting.
Commissioning:	Within 4 Months after Mechanical Completion.
Project Closure:	Within 6 Months from Commissioning.

Note :

- If identified dates as (*) above happens to be a declared holiday/closed day in NRL, activity shall be conducted on next working day at the same time.
- All amendments, time extension, clarifications, etc. will be uploaded in the websites only. Bidders should regularly visit the above website(s) to keep themselves updated.
- Request for extension received from any bidder with less than two working days prior to bid due date shall generally be ignored, since there will not be adequate time for consideration.

NOTICE INVITING TENDER
NUMALIGARH REFINERY LIMITED

1.0 Introduction

Numaligarh Refinery Limited has embarked on an ambitious path to expand its refining capacity from current 3 MMTPA to 9 MMTPA at its existing location in Assam in next 4 years. Approved cost of the project is Rs. 22,594 Cr. The proposed 6 MMTPA capacity addition has been designed to process Arab Mix (70 AH: 30 AL) crude. The following facilities are being envisaged as part of the new 6 MMTPA Numaligarh Refinery Expansion Project (NREP):

Name of the unit	Capacity (MMTPA)
CDU/VDU	6.0
Motor Spirit Plant (MSP -NHT / CCR / ISOM)	1.2 / 0.75 / 0.49
Resid Processing & Treating Unit (RPTU) (**excluded in this tender**)	2.0
Diesel Hydro Treater (DHT)	3.55
Petro Fluidized Catalytic Cracking (PFCC)	1.95
Gasoline Desulfurization (GDS)	0.58
H2 Generation Unit (HGU)	95 KTPA
DCU revamp (**excluded in this tender**)	0.544
Sulphur Recovery Block (SWS/ARU/SRU/TGTU)	2 x 240 TPD
LPG Treating Unit (LPGTU)	230 KTPA (CDU/VDU) 438 KTPA (PFCC)

The proposed configuration so chosen has the provision of switching over to petrochemical production in future.

2.0 Bidder Qualification Requirement (BQC):

Bidder(s) who meet all of the following criteria as specified in Clauses below shall be qualified for participating in this tender and shall submit supporting documents as detailed in the tender for technical and commercial evaluation.

A) TECHNICAL CRITERIA :

Bidder during last 15 (Fifteen) years (ending on last day of the month immediately previous to the month in which last date of original bid submission falls) shall have ;

For M-PMC

a) Completed 1 (One) similar work* costing not less than INR 178 Crore (Excluding taxes)

OR

b) Completed 2 (Two) similar works* each costing not less than INR 142 Crore (Excluding taxes)

OR

c) Completed 3 (Three) similar works* each costing not less than INR 107 Crore (Excluding taxes)

<u>For EPCM-1</u>

a) Completed 1 (One) similar work* costing not less than INR 117 Crore (Excluding taxes)

OR

b) Completed 2 (Two) similar works* each costing not less than INR 94 Crore (Excluding taxes)

OR

c) Completed 3 (Three) similar works* each costing not less than INR 70 Crore (Excluding taxes)

<u>Definition of Similar Works (*) : The bidder to have experience of similar nature of job to Qualify : For M-PMC and EPCM-1</u>

i) The Bidder (see Note-2 below) should possess experience of having successfully completed; "Engineering, Procurement, Construction Management (EPCM) Consultancy Services for any Hydrocarbon Process Unit(s) in any Petroleum Refinery/ Petrochemical plant in India/ Abroad" during last 15 Years ending on last day of the month immediately previous to the month in which last date of original bid submission falls.

OR

ii) The Bidder (See Note-2 Below) should possess experience of having successfully completed "Project Management Consultancy (PMC) Services for any Hydrocarbon Process Unit(s) in any Petroleum Refinery/Petrochemical Plant in India/ Abroad" during last 15 Years ending on last day of the month immediately previous to the month in which last date of original bid submission falls.

OR

iii) The Bidder (See Note-3 Below) should possess experience of having successfully completed "Engineering, Procurement and Construction Contract (EPC Contract/LSTK) for any Hydrocarbon Process Unit(s) in any Petroleum Refinery/Petrochemical Plant in India/Abroad". In addition, Bidder should also possess experience of having successfully completed EPCM Consultancy Services OR PMC Services for any Hydrocarbon Process Unit(s) in any Petroleum Refinery/Petrochemical Plant in India/Abroad for one (01) minimum completed value of Rs. 107 Crore in case of M-PMC and Rs.70 Crore in case of EPCM-1" during last 15 Years ending on last day of the month immediately previous to the month in which last date of original bid submission falls.

<u>Notes :</u>

1) Offer from Joint Bidders / Consortium will not be acceptable for this job.
2) Bidder can be Indian Bidder or Indian Affiliate/Indian Subsidiary of a Foreign Company. In case where Indian Affiliate/Indian Subsidiary of a Foreign Company is the Bidder, Bid Qualification credentials can be of their Foreign Company or any subsidiary of foreign company or Group Company.
3) The jobs mentioned in (iii) above should have been executed by the Indian Bidder or Indian Affiliate/Indian Subsidiary of a Foreign Company only.
4) The details of the similar works as stipulated above should have been commissioned as on last day of the month immediately previous to the month in which due date of bid submission falls. The reference unit shall be a commercial unit (Reference of Pilot plant,

Laboratory scale plant, demonstration plant is not acceptable). No revamp or debottlenecking reference is acceptable

5) **FOR M-PMC, in additional to the above bid qualification credentials, must have experience of completing preparation of Basic design & engineering package (BDEP) for any process unit of refinery or petrochemical plant.**

6) The value of past experience shall be adjusted (from the actual completion date) at a simple rate of 07% for every completed year and thereafter at @0.58% for every completed month ending last day of the month proceeding the month in which last date of original bid submission falls.

<u>General Conditions</u>:

1. Bidder shall furnish the details as per the requirement mentioned at (a) and (b) below; failing which owner (NRL) reserves the right to reject the offer:
   a) The bidder shall submit a write up on the Approach and Methodology for successful completion and commissioning of the units under their scope. The write up should necessary contain the following:
      i. Project organogram along with job description of the key personnel.
      ii. Work flow including internal approval process
      iii. Detailed Work Plan (Up to L2 schedule) with respect to time schedule mentioned in the tender.
      iv. Control measures for execution of the project without any time and cost overrun.
      v. Procedure for interfacing with other stakeholders and change orders
      vi. Summary of quality management systems and corporate procedures
      vii. Smart EDMS and digital handover policy.
      viii. Unique best practices for positive effect on the project schedule.
      ix. Identification of areas of concern during construction and mitigation plan including working in all-weather condition.
      x. Approach for handling of ODC/OWC consignment at construction site.

   b) The bidder shall submit the capability document of Project Manager, RCM and Head Planning proposed to be deployed along with the bid. The capability document should include earlier experience in successful and timely completion of minimum **01 major Project for its entire duration**, having multiple process units in the refinery/ petrochemical sector, Knowledge on latest project management technique, handling of ODC/OWC etc. NRL may carry out interview for such person during bid evaluation.

2. For EPCM Consultancy Work Orders to be submitted against experience, the job scope shall broadly include Detailed Engineering, Procurement Services, Tendering & Award of Contracts, Project Management, Construction Supervision services, Assistance in startup, Pre-commissioning & Commissioning assistance, Performance Guarantee Test Run (PGTR) etc.
3. For Project Management Consultancy (PMC) Work Order(s) to be submitted against experience credential, the job scope shall broadly include Tendering & Award of Contracts, detailed Engineering, Project Management, Construction Supervision services, Assistance in start-up, Pre-commissioning & Commissioning assistance, Performance Guarantee Test Run (PGTR) etc.

4. For EPC Work Orders / LSTK Work Orders to be submitted against experience, the job scope shall broadly include Detailed Engineering, Procurement, Construction & Assistance in Commissioning, Performance Guarantee Test Run (PGTR) etc.
5. In case of work orders, the bidders are required to indicate the Service tax /GST/ any other tax amount included or excluded in the executed amount of work. The necessary documentary evidence is also to be submitted in support of their claim. The value net of taxes will be considered for evaluation.
6. If the complete order is in the currency other than Rs. (INR), the same shall be converted into equivalent INR considering the conversion rate as on date of issue of order and shall be considered based on FBIL reference rate. In the absence of Financial Benchmarks India Private Ltd (FBIL) reference rate, RBI reference rate will be considered.
7. No insolvency, liquidation, court receivership or other similar proceedings shall have been initiated and pending against the Bidder.
8. In case bidder has signed Non-disclosure agreement (NDA) with their client for not disclosing the value of completed work & completion certificate is not issued by their client, bidder/ bid entities chief financial officer/ chief executive officer shall issue the certificate of declaration to above effect, that the value of completed work is above the BQC criteria of value of completed work and work / job completion details stating job award date, job completion date and nature of job. Bidder must submit the copy of NDA along with the bid.
9. In case bidders are submitting the documents in a language other than English, proper English translation by recognized translators such as Indian consulate in the country of origin or the representative country's consulate in India or any accredited translating institute shall be accepted.

B. <u>FINANCIAL CRITERIA</u>

i) ANNUAL TURNOVER:

Average Annual Turnover of the Bidder during the immediate preceding 03 (Three) financial years shall not be less than the amount shown below against respective Groups, as per audited annual financial results as on the due date of submission of bid

M-PMC : Rs. 107 Crores

EPCM-1 : Rs. 70.0 Crores

ii) NET WORTH

The **Net worth** of the bidder as per latest audited financial statement shall be positive.

iii) SOLVENCY

Bidder shall submit a **Solvency certificate** from bank or a positive accreditation certificate from a reputed agency.

<u>Notes on Turnover:</u>

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.

C. <u>Additional Note/ conditions in case the bidder is an Indian Affiliate of a Foreign Company:</u>

- Bid qualification credentials under Technical Criteria can be of their Parent Company/ Subsidiary Company / any other Subsidiary of the Parent Company/ Group Company, subject to such conditions as herein after mentioned.
- Technical Experience of the Parent Company/ Subsidiary Company / any other Subsidiary of the Parent Company/ Group Company, of the bidding entity should be acceptable based on undertaking by the qualified parent / subsidiary/ any other subsidiary of parent company/Group Company supporting the bidding entity, if selected for award.
- In case the bidder uses the Technical credentials of its Parent Company/ Subsidiary Company / any other Subsidiary of the Parent Company/ Group Company, for meeting the BQ criteria, then all the parties i.e. bidder, Subsidiary of the bidder, Parent Company of the bidder and any other Subsidiary of the Parent Company of the Bidder/Group Company, shall be jointly and severally liable for the performance of the contract. A Notarized Declaration by each such party to this effect shall be submitted with the bid under the signature of an authorized signatory of the respective parties mentioned above **as per the format attached at Annexure –I to ITB**, which shall be part of the contract which may be awarded to successful bidder.
- In case the Parent Company of the bidder is not able to execute the Notarized Declaration as mentioned above, then the Parent Company of the Bidder shall submit along with the bid a Corporate Guarantee, **as per the format herewith at Annexure –II to ITB**, which will be effective in case the bid is successful and this Corporate Guarantee shall be part of the contract awarded to the successful bidder.
- **Indian affiliate must comply with the following in addition to the BQC.**
    a) The Bid shall be signed by duly authorized signatory of the Indian Affiliate/Indian Subsidiary.
    b) The Bid shall contain brief of the company along with organisational structure and contact details in the company's letterhead of the Foreign Company or subsidiary of the foreign company or Group Company and of the Indian Affiliate/Indian Subsidiary.
    c) The Bidder shall provide written undertaking on the responsibilities taken by the foreign company or subsidiary of foreign company or Group Company to the satisfaction of the Owner. The undertaking shall be furnished in official letterhead signed by CEO/CFO/ Company Secretary/ Director of the Foreign Company or subsidiary of the foreign company or Group Company that the bidder has necessary back up and support of their Foreign Company or subsidiary of the foreign company or Group Company to perform the obligations of the consultant.
    d) Should be established in India for at least last 07 Years. Documentary evidence like Copy of Incorporation/ Registration in this regard shall be submitted by the Bidder.
    e) The Indian Affiliate/Indian Subsidiary should have current Manpower of minimum 1000 in technical disciplines related to Hydrocarbon engineering works in their rolls in India as on date of bid submission. Affidavit / Certificate from the CEO/CFO/Company Secretary of Indian Affiliate/ Indian Subsidiary shall be submitted by the Bidder as proof in this connection.

f) The Indian Affiliate/Indian Subsidiary, on their own, should possess the experience of having successfully completed PMC Service or EPCM Service for any hydrocarbon process Unit(s) in India/ Abroad during the last 15 Years. The completed value of such job should be at least **Rs.53 Crore in case of M-PMC and Rs.35 Crore in case of EPCM-1**. The reference unit shall be a commercial unit (Reference of Pilot plant, Laboratory scale plant, demonstration plant is not acceptable) and should have been commissioned. Following documents are to be submitted by the Indian Affiliate/Indian Subsidiary along with the bids in addition to the documents mentioned in elsewhere in the tender:

- Work Order (WO) and Completion Certificate to establish the credentials.
- Commissioning Certificate from the Plant Owner/Licensor
- In case of Internal Work, Order issued by Foreign Company/ subsidiary of the foreign company/Group company to Indian Affiliate/Indian Subsidiary will also be acceptable subject to submission of tax paid invoices towards payments of statutory tax/ Remittance certificates duly certified by Statutory auditor (not being an employee of the company). Bidder shall submit Commissioning/Completion/ Acceptance Certificate issued by Plant Owner/Licensor to Foreign Company or subsidiaries of the foreign company in addition to the Internal Work Order.

g) The Foreign entity (Parent Company/ Subsidiary/ any other Subsidiary of Parent Company)/Group Company, whose credentials have been used by the Indian Affiliate for meeting the qualification criteria shall directly (and not through the Indian Affiliate) undertake the following activities for the Units/ Facilities of Project as described below as minimum:

- Approval of BDEP for Open Art Process Unit in case of M-PMC.
- Approval of FEED for Units under EPC mode, as applicable in case of M-PMC
- Approval of Material Requisition (MR) of critical/Long Lead Items (LLIs) of concerned Units and review of critical vendor drawings
- Review & Approval of stress calculation for Critical pipelines of the Unit
- Approval of 3D Model (30%) of concerned unit
- Participation during HAZID (Hazard Identification) & HAZOP (Hazard Operability) Study of concerned unit

h) During construction management, lead construction engineers of different disciplines (Civil, Mechanical, Electrical, Instrumentation and Commissioning Lead) shall be engaged from the foreign company/subsidiaries of foreign company/ Group Company (whose credential is used for qualification in the bid) at construction site as per mutually agreed deployment schedule.

i) Foreign company/subsidiaries of foreign company/Group company and its Indian Affiliate/Indian Subsidiary shall be jointly and severally liable for the performance of the contract and a declaration to this effect shall be submitted with the bid under the signature of CEO/ CFO/Director /Company Secretary of the foreign company/ subsidiaries of foreign company/ Group company.

SPECIAL NOTE TO THE BIDDERS:

Please note that no relaxation of Bid Qualification Criteria (Technical, Commercial and Financial) will be given to MSE and Start-up vendors for the subject tender. However, relaxation of EMD and Price Benefit as per MSE policy will be applicable.

3.0 Documents and Data Required with Bid

Bidder should submit documentary evidence to support the references provided and fulfilling the BQC. The following are the minimum documents required.

- Bidder is required to submit all the necessary documents like Purchase order, Completion certificate, Commissioning certificate etc. to establish the credentials of the bidder as per BQC mentioned above.
- In addition to the other particulars required, the bid shall contain full particulars of the FOREIGN entity, foreign company or Group company of the Indian affiliate, and/or of the Indian Affiliate and shall provide all information necessary to satisfy NRL that the Indian Affiliates with the necessary back up and support of the FOREIGN entity will be able to perform the obligations of the Consultant and provide the required EPCM Consultancy/PMC Services in the same manner and to the same standard as could be provided by the FOREIGN entity.
- The Bidder shall ensure submission of complete authentic information / documentation along with the bid. Certificate from Auditor, independent CA, Director, CEO, CFO and Company Secretary of the entity shall be acceptable.
- All supporting documents pertaining to Bidder qualification criteria submitted by the Bidder shall be true copies, duly signed, dated and stamped by a Public Notary. Please note this requirement is not applicable to "Published Annual Reports".
- Bidder shall furnish documentary evidence towards commercial criteria along with the Bid such as copies of Annual Reports and audited financial statements for last three years to establish Financial Criteria. In absence of requisite documents, NRL reserves the right to reject the Bid without making any reference to the Bidder.
- NRL reserves the right to check the authenticity of the documents and may seek the original documents which substantiate the Bid Qualification Criteria for verification purpose. In case the bidder (s) fails to produce/provide the original documents mentioned above, their offer will be rejected.
- NRL reserves the right to directly interact with the Bidder's clients to verify the relevant documentation and the Bidder will render assistance in facilitating the same.

4.0 Requirement of Authentication and Submission of Documents :

AUTHENTICATION OF DOCUMENTS

Submission of authentic documents is the prime responsibility of the bidder. NRL reserve the right to get the documents cross-verified / directly interact with the Bidder's Clients / document issuing authority. Bidder shall render necessary assistance for the document verification/ authentication, including facilitating visit to the referred process units (against which BQC of Past Experience has been furnished), if so considered necessary by NRL.

All documents furnished by the bidder in support of meeting the Technical, Commercial and Financial Criteria of BQC shall be:

- Duly certified by Statutory Auditor of the Bidder or a practicing Chartered Accountant (not being an employee or a Director and not having any interest in the Bidder's company) where audited accounts are not mandatory as per law,

OR

- Bidder shall submit documents Duly notarized by any notary public in the Bidder's country. In case of Notarization, Bidder shall also submit an affidavit in the format as per Annexure- III attached with ITB, signed by the Authorised signatory of the Bidder.

OR

- Bidder shall submit self-certified documents from any one out of CEO/ CFO/ Company Secretary or any member of the Board of Directors of the Bidder (Limited company only) along with Self-Certification as per Annexure – IV to ITB attached with tender. This option shall not be applicable to Proprietorship/ Partnership Firms.

The audited financial statement or a translated copy of the financial statements uploaded at the portal shall be certified as per the procedure depicted above.

SUBMISSION OF DOCUMENTS

All documents furnished by the bidder in support of meeting the Technical, Commercial, and Financial criteria of PQC as per tender shall be Digitally Signed authenticated copies and submitted in e-tendering website along with their offer.

Similar to PQC documents, Power of Attorney can be submitted Digitally Signed as per the requirement specified in the Bidding Document.

Bidder should submit Solvency certificate from Nationalized / Scheduled Banks.

Bidders should have valid PF, GST registrations and PAN. Any additional documents if deemed necessary to establish the qualifying requirements may be submitted by the Bidder.

NRL 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.

Failure to meet the Qualification Criteria will render the Bid to be summarily rejected. Therefore, the bidder shall in his own interest furnish complete documentary evidence in the first instance itself along with their bids, in support of their fulfilling the Qualification Criteria as given above.

In the event of submission of any document/ certificate by the Bidder in a language other than English, the English translation of the same duly authenticated by Chamber of Commerce of the respective country in which the document is originated, shall be submitted by the Bidder. In absence of requisite document(s), NRL reserves the right to reject the bid without making any reference to the Bidder.

For details regarding submission of bids, refer Instructions to Bidder (ITB).

5.0 EARNEST MONEY DEPOSIT:

5.1 Bidders are required to submit the EMD/Bid Security for the amount, as mentioned under "SALIENT DETAILS OF THE TENDER NOTICE", online through the link https://easypay.axisbank.co.in/nrl.

Please note that EMD amount in online mode is only acceptable and no other mode i.e. offline or hard copy is not acceptable.

In case non-submission of Bid Security / EMD as mentioned above shall be considered as non-responsive and such Bids shall be rejected.

5.2 EMD exemption will be applicable only for Micro or Small Enterprises (MSEs) registered District Industries Centres or Khadi and Village Industries Commission or Khadi and Village Industries board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of Micro, Small and Medium Enterprises subject to:

- The unit being registered for the item tendered.
- Registration certificate being valid as on date of quotation.

5.3 NRL reserves its rights to allow MSEs and MSEs owned by SC or the ST entrepreneurs, purchase preference as admissible / applicable under the existing Govt. Policy. Purchase preference to a MSE and a MSE owned SC/ST entrepreneurs shall be decided based on the price quoted by the said MSEs as compared to the L1 bidder. Bidder claiming purchase preference as MSE need to submit notarized copy of all the pages of the EM-II certificate , issued by the authorities mentioned in the Public procurement policy of MSEs-2012 / Udyog Aadhaar Memorandum (UAM).

6.0 HOLIDAY LISTING / LIQUIDATION:

Bidders serving holiday listing order issued (as on bid opening date) by NRL, MOP&NG or any other Oil Public Sector Enterprises would not get qualified in this tender. A self-declaration to be submitted by bidder indicating that they are not on holiday list by NRL/ MOP&NG or any other Oil PSEs as on due date of bid submission anywhere in the country. Format for the same is attached as Annexure-VII to ITB. The said declaration also states that the bidder is not be under liquidation, court receivership or similar proceeding Offers not accompanied with such declaration shall make the bidders liable for rejection.

Any wrong declaration in this context shall make the bidders liable for action under the holiday listing procedure.

7.0 REQUIREMENT OF EMPLOYMENT VISA FOR FOREIGN NATIONALS

All foreign nationals coming to India for execution of Projects/Contracts will have to apply for Employment Visa and that grant of Employment Visa would be subject to adherence of the rules, procedures and norms of Govt. of India.

Bidders are advised in their own interest to check latest Visa rules from Indian Embassy / High Commission in their country in case foreign nationals are required to be deputed to India during execution of the Contract.

8.0 CONTRACT DOCUMENT

The successful Consultant shall be required to execute formal agreement(s) within specified period for respective scope of services and supplies covered in the Bidding Document. This Bidding Document along with addendums, if any, will form part of the respective agreement(s).

9.0 **BID VALIDITY**

Bid submitted by Bidder shall remain valid for a minimum period of **06 (Six) months** from the date of opening of Techno-Commercial Bids. Bidders shall not be entitled during the said period of four months, without the consent in writing of NRL, to revoke or cancel their Bid or to vary the Bid given or any term thereof. In case of Bidders revoking or cancelling their Bid or varying any terms in regard thereof without the consent of NRL in writing, NRL shall forfeit EMD paid by them along with their bids.

NRL may solicit the bidders consent to an extension of the period of validity of bid. The request and the responses there to shall be made in writing. However, bidders agreeing to the request for extension of validity of bid will not be permitted to modify the bid.

10.0 TENDER DOCUMENT:

10.1 Tender documents should be downloaded from Central Public Procurement Portal **http://eprocure.gov.in/eprocure/app**. Aspiring Bidders/ Suppliers who have not enrolled/registered in e-procurement should enroll/register before participating, through the website **http://eprocure.gov.in/eprocure/app.** Bidders are advised to go through instructions provided as **'Instructions for online Bid Submission'** provided at Appendix A to Notice Inviting Tender.

10.2 Bidders can access tender documents from the website, fill them with all relevant information and submit the completed tender document into electronic tender on the website **http://eprocure.gov.in/eprocure/app** .

10.3 Tenders and supporting documents should be uploaded through e-procurement portal only. Hard copy of the tender documents will not be accepted.

10.4 ***Corrigendum/addendum/extension (if any) pertaining to this tender will be published in the website only.***

10.5 Both Technical bid and Financial bid are to be submitted concurrently, duly digitally signed in the web site **http://eprocure.gov.in/eprocure/app**.

Online Bids are received only on CPPP Portal website http://eprocure.gov.in/eprocure/app on or before due date as indicated in the NIT. The bidder shall be at liberty to be present either in person or through an authorized representative at the time of opening of the Technical Bid. Price Bids of only those bidders shall be opened who are Techno-commercially qualified, at a time and place for which notice shall be given. The qualified bidders shall be at liberty to be present either in person or through an authorized representative at the time of opening of the Price Bids with the Bid Acknowledgement Receipt.

11.0 GENERAL CONDITIONS:

- NRL shall not be responsible for any expense incurred by bidders in connection with the preparation & delivery of their bids, site visit, participating in the discussion and other expenses incurred during the bidding process.
- NRL will follow Purchase Preference Policy as per prevailing guidelines of Government of India. NRL reserves its right to allow Public Sector Enterprises (Central/State), purchase preference as admissible/applicable from time to time under the existing Indian Govt. Policy.
- Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.
- NRL reserves the right to reject any or all Bids at the bids received or annual the bidding process at any time without assigning any reason whatsoever.
- In case any bidder is found to be involved in cartel formation, his bid will not be considered for further evaluation/ placement of order. Such bidder's EMD will be enchased & also debarred from bidding in future for NRL.
- A bidder may seek clarifications regarding the bidding document provisions, bidding process and/or rejection of his bid. NRL shall respond to such requests within a reasonable time
- Unsolicited clarifications to the offer and/or change in the prices during its validity period would render the bid liable for outright rejection.
- The Contents of this NIT shall prevail in case of any contradiction with the clauses mentioned elsewhere.
- In the absence of requisite documents, NRL reserves the right to reject the bid without making any reference to the bidder.
- Bidder shall enclose the list of documents submitted along with the offer in line with requirement of various clauses of this document.
- For detailed specifications, terms and conditions and other details, refer complete Bidding Document.
- General Conditions of Contract (GCC): GCC along with the Amendments shall be applicable.

GM (Commercial) I/c
Numaligarh Refinery Limited

Instructions for Online Bid Submission

As per the directives of Department of Expenditure, this tender document has been published on the Central Public Procurement Portal (URL: https://eprocure.gov.in). The bidders are required to submit soft copies of their bids electronically on the CPP Portal, using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More information useful for submitting online bids on the CPP Portal may be obtained at: https://eprocure.gov.in/eprocure/app.

REGISTRATION

1) Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: https://eprocure.gov.in/eprocure/app) by clicking on the link "**Online Bidder Enrolment**" on the CPP Portal is free of charge.
2) As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.
3) Bidders are advised to register their valid email address and mobile numbers as part of the registration process. These would be used for any communication from the CPP Portal.
4) Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (Class II or Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / TCS / nCode / eMudhra etc.), with their profile.
5) Only one valid DSC should be registered by a bidder. Please note that the bidders are responsible to ensure that they do not lend their DSC's to others which may lead to misuse.
6) Bidder then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

SEARCHING FOR TENDER DOCUMENTS

1) There are various search options built in the CPP Portal, to facilitate bidders to search active tenders by several parameters. These parameters could include Tender ID, organization name, location, date, value, etc. There is also an option of advanced search for tenders, wherein the bidders may combine a number of search parameters such as organization name, form of contract, location, date, other keywords etc. to search for a tender published on the CPP Portal.
2) Once the bidders have selected the tenders they are interested in, they may download the required documents / tender schedules. These tenders can be moved to the respective 'My Tenders' folder. This would enable the CPP Portal to intimate the bidders through SMS / e-mail in case there is any corrigendum issued to the tender document.
3) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

PREPARATION OF BIDS

1) Bidder should take into account any corrigendum published on the tender document before submitting their bids.

2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.
3) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document / schedule and generally, they can be in PDF / XLS / RAR / DWF formats. Bid documents may be scanned with 100 dpi with black and white option.
4) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the bidders. Bidders can use "My Space" area available to them to upload such documents. These documents may be directly submitted from the "My Space" area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

SUBMISSION OF BIDS

1) Bidder should log into the site well in advance for bid submission so that he/she upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.
2) The bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.
3) Bidder has to select the payment option as "offline" to pay the tender fee / EMD as applicable and enter details of the instrument.
4) **Bidder(s) must follow the following for submission of online EMD:**

- Bidders will open the link https://easypay.axisbank.co.in/nrl and type the Tender ID for which EMD is to be paid and click on the option "Validate". Please enter the tender ID as OC10000322.
- The web page will auto populate Tender Name, Last Date of Payment, Bid Opening date and EMD (not editable).
- The bidder will enter his Company/ Firm Name, Address, e-Mail ID, Amount and Mobile Number.
- The bidder is also required to enter his preferred account No. and IFS Code twice for receiving EMD refund. In case of any mismatch in the account No. or IFS Code entered twice, the web page will prompt the bidder to correct the data and then allow to proceed with payment.
- The Bidder is then required to enter verification code as displayed in the web page and click on the option "Submit".
- The next Web Page will then display the summary of the EMD payment along with a Unique Reference Number (URN).
- Bidder is required to accept the payment Terms and Conditions and select his preferred mode of payment from the options provided, viz., Net Banking (Axis Bank or Other Banks), Credit/ Debit Cards or NEFT/RTGS.
- In case of Net Banking, the bidder will enter his User ID/ Password/ Transaction Password and One time password as per the online payment system of the Bidder's Bank.
- For Credit/ Debit Card payment, the Bidder will enter his Card Number, Expiry Date, CVV and 'Verified by VISA' or 'Master Secure' password as applicable.
- For bidders selecting the payment option of NEFT/ RTGS, the web page will generate a challan

with a Dynamic/Virtual Account Number, IFS Code, Account Name and Amount. The bidders can take a print out of this challan or just note the relevant details and initiate the NEFT payment from their Bank.

A receipt will be generated after successful payment (irrespective of the mode of payment). Bidder can take print out for onward submission with tender as well as save a soft copy of the receipt.

Foreign Bidders may submit the EMD wither in the form of crossed Demand Draft in favour of "Numaligarh Refinery Limited" payable at Numaligarh or Bank Guarantee (BG). BG shall be submitted from any Indian scheduled bank which includes Indian branch of foreign bank recognized as scheduled bank by RBI. Bids without the requisite EMD as mentioned above shall be rejected.

There will be no waiver of EMD for Public Sector Undertaking of Central/State Government Undertakings. EMD shall be valid for a period of 08 (Eight) months from the final bid due date for submission of Bids.

5) Bidders are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. If the priced bid have been given as a standard BOQ format with the tender document, then the same is to be downloaded and to be filled by all the bidders. Bidders are required to download the BOQ file, open it and complete the white colored (unprotected) cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the BOQ file is found to be modified by the bidder, the bid will be rejected.
6) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.
7) All the documents being submitted by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done
8) The uploaded tender documents become readable only after the tender opening by the authorized bid openers.
9) Upon the successful and timely submission of bids, the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.
10) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

ASSISTANCE TO BIDDERS

1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.
2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in

general may be directed to the 24x7 CPP Portal Helpdesk. The contact number for the helpdesk is 1800-3070-2232.

3) **For any assistance, please contact the following person:**
Dhiraj Mohan Saikia, Phone No 03776 – 265774,
E-mail: z_tender@nrl.co.in

Special Instructions to the Bidders for the e-submission of the bids online through e-Procurement Portal:

- Bidder should do Online Enrolment in this Portal using the option Click Here to enrol available in the Home Page. Then the Digital Signature enrolment has to be done with the e-token, after logging into the portal. The e-token may be obtained from one of the authorized Certifying Authorities such as e-MudhraCA/GNFC/IDRBT /MTNL Trustline / Safe Scrpt /TCS.
- Bidder then logs into the portal giving user id / password chosen during enrolment.
- The e-token that is registered should be used by the bidder and should not be misused by others.
- DSC once mapped to an account cannot be remapped to any other account. It can only be Inactivated.
- The Bidders can update well in advance, the documents such as certificates, purchase order details etc., under **My Documents** option and these can be selected as per tender requirements and then attached along with bid documents during bid submission. This will ensure lesser upload of bid documents.
- After downloading / getting the tender schedules, the Bidder should go through them carefully and then submit the documents as per the tender document, otherwise, the bid will be rejected.
- The BOQ template must not be modified /replaced by the bidder and the same should be uploaded after filling the relevant columns, else the bidder is liable to be rejected for that tender. Bidders are allowed to enter the Bidder Name and Values only.
- If there are any clarifications, this may be obtained online through the e-Procurement Portal, or through the contact details given in the tender document. Bidder should take into account of the corrigendum published before submitting the bids online.
- Bidder, in advance, should prepare the bid documents to be submitted as indicated in the tender schedule and they should be in PDF/XLS/RAR/DWF formats. If there is more than one document, they can be clubbed together.
- Bidder should arrange for the EMD as specified in the tender.
- The bidder reads the terms and conditions and accepts the same to proceed further to submit the bids
- The bidder has to submit the tender document(s) online well in advance before the prescribed time to avoid any delay or problem during the bid submission process.
- There is no limit on the size of the file uploaded at the server end. However, the upload is decided on the Memory available at the Client System as well as the Network bandwidth available at the client side at that point of time. In order to reduce the file size, bidders are suggested to scan the documents in 75-100 DPI so that the clarity is maintained and also the size of file also gets reduced. This will help in quick uploading even at very low bandwidth speeds.
- It is important to note that, **the bidder has to Click on the Freeze Bid Button, to ensure that he/she completes the Bid Submission Process. Bids which are not Frozen are considered as Incomplete/Invalid bids and are not considered for evaluation purposes.**

- In case of Offline payments, the details of the Earnest Money Deposit(EMD) document submitted physically to the Department and the scanned copies furnished at the time of bid submission online should be the same otherwise the Tender will be summarily rejected
- The **Tender Inviting Authority (TIA)** will not be held responsible for any sort of delay or the difficulties faced during the submission of bids online by the bidders due to local issues.
- The bidder may submit the bid documents online mode only, through this portal. Offline documents will not be handled through this system.
- At the time of freezing the bid, the e-Procurement system will give a successful bid updating message after uploading all the bid documents submitted and then a bid summary will be shown with the bid no, date & time of submission of the bid with all other relevant details. The documents submitted by the bidders will be digitally signed using the e-token of the bidder and then submitted.
- After the bid submission, the bid summary has to be printed and kept as an acknowledgement as a token of the submission of the bid. The bid summary will act as a proof of bid submission for a tender floated and will also act as an entry point to participate in the bid opening event.
- Successful bid submission from the system means, the bids as uploaded by the bidder is received and stored in the system. System does not certify for its correctness.
- The bidder should see that the bid documents submitted should be free from virus and if the documents could not be opened, due to virus, during tender opening, the bid is liable to be rejected
- The time that is displayed from the server clock at the top of the tender Portal, will be valid for all actions of requesting bid submission, bid opening etc., in the e-Procurement portal. The Time followed in this portal is as per Indian Standard Time (IST) which is GMT+5:30. The bidders should adhere to this time during bid submission.
- All the data being entered by the bidders would be encrypted at the client end, and the software uses PKI encryption techniques to ensure the secrecy of the data. The data entered will not be viewable by unauthorized persons during bid submission and not viewable by any one until the time of bid opening. Overall, the submitted bid documents become readable only after the tender opening by the authorized individual.
- During transmission of bid document, the confidentiality of the bids is maintained since the data is transferred over secured Socket Layer (SSL) with 256 bit encryption technology. Data encryption of sensitive fields is also done.
- The bidders are requested to submit the bids through online e-Procurement system to the TIA well before the bid submission end date and time **(as per Server System Clock).**

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