NOTICE INVITING e-TENDER

tkUIPL-India (Consultant),on behalf of NRL (Owner), invites e-Bids in total compliance to technical specifications, scope, terms & conditions of enquiry documents / attachments through the website https://eprocure.gov.in/eprocure/app in **single stage two bid systems** from competent agencies with sound technical and financial capabilities and meeting the "**Minimum Qualification Criteria**" for the job given below.

1. **Tender No. / NIT No.: TK-1ZZZA-MP-RFQ-0143**

2. **E-Tender ID: 2024_NRL_838957_1**

3. **Type of Bid:** LIMITED TENDER - DOMESTIC COMPETITIVE BIDDING UNDER TWO BID SYSTEM

4. **Name of Work:**
   Supply of GASKETS FOR UG & AG PIPING FOR NREP as per Technical Specifications for Numaligarh Refinery Limited, Assam, INDIA.

Sr. No.	Description	Qty
1	**SUPPLY OF GASKETS for NREP PROJECT including TPI charges as specified in Material Requisition. (Group-Wise Evaluation)**	
1.1	**GROUP -1** [Boq Sr no 1.001 – 1.103] Spiral Wound Gasket - Size less than 14"	77609
1.2	**GROUP -2** [Boq Sr no 2.001 – 2.047] Spiral Wound Gasket - Size Greater or equal to 14"	1522
1.3	**GROUP -3** [Boq Sr no 3.001 – 3.018] Metallic & Soft Iron Gaskets - Size upto 12"	482
1.4	**GROUP -4** [Boq Sr no 4.001 – 4.036] Non-Asbestos Gaskets	17634
1.5	**GROUP -5** [Boq Sr no 5.001] Metallic & Soft Iron Gaskets - Size Greater than or equal to 14"	5

Notes-

A. Bid evaluation shall be done on **Group Wise Lowest** on landed Cost Basis for each Group as specified in SPC & ITB & Tender Document. Order against any item cannot be further splitted and each item shall be considered as a non-divisible item.

B. In case a bidder does not quote for any one of the line items from any Group or bidders offer does not techno-commercially qualify for particular line items from any Group, then bidders complete offer is liable for rejection for that particular Group.

C. **Prices quoted in BOQ1 shall be considered for Evaluation** & Bidder to indicate Built in Import content (if any) in BOQ 2

D. This notice is being published for information only and is not an open invitation to quote in this limited tender. Participation in this tender is by invitation only and is limited to the selected Procuring Entity's enlisted contractors. Unsolicited offers shall be ignored.

E. **Bidder to refer Annexure I to NIT for Group wise short-listed bidder attached with this document and submit bid accordingly.**

F. Bidder to submit duly filled in, signed and stamped copy of following **Mandatory Documents**, along with other required Documents for the Tender:

- **Integrity Pact Document-** Refer NIT Clause No.16.1
- **Notarized Power of Attorney** in the name Authorized person- Refer NIT Clause No.16.2
- **PPLC Form 2A & Form 2B & Form 2C (as applicable)**-Refer ITB Annexure 05.3.
- **Land Border Sharing Policy FORM A** CERTIFICATE OF COMPLIANCE-Refer ITB Annexure 5.8.
- **UDYAM** Registration Certificate

4.1 **Brief Description**

Design, detail engineering, procurement, manufacturing, testing & inspection, factory acceptance testing (FAT), TPI, packing, forwarding, transportation, route survey (if required) and supply till site including Commissioning spares, Mandatory spares, Special Tools & Tackles, Consumables, 2 Year Operational Spares of above equipment as per above "**Name of work**" to be installed at Numaligarh Refinery Limited (NRL), Assam.

4.2 **Location of Work/Site**

Numaligarh Refinery Limited (NRL), Golaghat, Pin Code - 785699, Assam, India.

5. **Completion Time / Delivery Period and Delivery Basis:**

5.1 **FIVE (05) months** on **DAP NRL site basis near foundation** (Freight by Vendor & Transit Insurance by NRL) from the date of Letter of Award. The date of receipt of material at site / site warehouse shall be considered as the date of delivery.

5.2 Delivery is of the highest consideration & above is the maximum delivery period. Offers not meeting the delivery requirement will be rejected.

5.3 Price reduction schedule for delay in delivery shall be applicable as per ITB.

6. **Tender download schedule**

From: **11/12/2024 (10 :00 Hrs. IST) to 02/01/2025 (15 :00 Hrs. IST)** both days inclusive.

Tender documents can be downloaded free of charge from the website https://eprocure.gov.in/eprocure/app in during the above period.

7. **Non-Disclosure Agreement (NDA): NOT APPLICABLE**

Bidder shall submit the scanned copy of the duly Stamped and Signed NDA on Bidder's Letterhead as per the format enclosed with this RFQ to Tender Inviting Authority. Delay by the Bidder in submitting signed NDA shall not be a reason for the Bidder to request for extension in Bid Submission date. Technical documents shall be shared only to those bidders who sign and submit the NDA exactly as per the format enclosed with RFQ/Tender (without any deviation/stipulation) to tkUIPL, India. **Upon submission of Digitally Signed NDA, link for Downloading Technical Documents shall be shared with the subject bidder.** The hard copy of the NDA shall be submitted through post/courier to Tender Inviting Authority within one week thereafter. The Bid shall be rejected in case NDA Hard Copy is not received by Tender Inviting Authority before Tender submission date. The Hard Copy of the NDA is not required if Bidder submits the same Digitally Signed.

8. **Pre-Bid Meeting – NOT APPLICABLE**

9. **Last Date for Receipt of Pre-Bid Queries by tkUIPL India –** By **23/12/2024 (17:00 Hrs. IST)**

10. **Start Date for Submission of Tender**
    From **26/12/2024 (12:00 Hrs. IST)**

11. **Bid submission up to**
    Up to **02/01/2025 (15:00 Hrs. IST)**
    The bidders are required to submit their bids electronically on the e-tender Portal only (URL: https://eprocure.gov.in/eprocure/app) using valid Digital Signature Certificates, on or before the bid submission date and time.

12. **Techno-commercial Tender opening date**
    Part-I i.e., Techno-commercial part shall be opened on-line on **03/01/2025 at 15:00 Hrs. IST** or at a later date/time, if extended thereafter.

13. **Price Bid Opening** Date and time of Price Bid opening will be communicated only to techno-commercially acceptable bidders.

14. **Bid Validity -**
    4 (Four) months from the scheduled unpriced bid opening date (including extensions, if any).

15. **Earnest Money Deposit (EMD): - NOT APPLICABLE**
    However, bidders to furnish Declaration for Bid Security / Earnest Money Deposit (EMD) as per enclosed format to in Tender Documents on the Bidder's Letterhead.

16. **Important Documents**

16.1 Integrity Pact Agreement – APPLICABLE

A Memorandum of understanding has been signed by the Owner for adoption of **Integrity Pact** in major Tenders. Bidder shall submit the **Integrity Agreement** in the prescribed **Formats** (as provided in tender commercial Documents) duly signed along with the Bid.

16.2 Power of Attorney – APPLICABLE

Bidder shall be required to submit the Notarized Power of Attorney on Rs. 100/- stamp paper in the name of its authorized signatory who is submitting the Bid.

16.3 DMISP Policy – NOT APPLICABLE

Bidder shall be required to submit the **notarised** document on Rs. 100/- stamp paper in the name of its authorized signatory who is submitting the Bid, as per format mentioned (05.5 DMI & SP Policy)

17. **Pre-qualification Criteria (PQC): NOT APPLICABLE**

17.1 **Pre-qualification Criteria (PQC) – Technical: NOT APPLICABLE**

17.2 **Pre-qualification Criteria (PQC) – Commercial: NOT APPLICABLE**

17.3 **Pre-qualification Criteria (PQC) – Financial: NOT APPLICABLE**

17.3.1 Average Annual Turnover (ATO):

The minimum average annual turnover during immediate three preceding financial years of the bidder

as per the audited annual financial results shall be:

Tender Average Annual Turnover Requirement (INR)
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Additional Note w.r.t. Financial Criteria:

Any of the following documents shall be furnished by the bidder in support to clauses mentioned above:

a) Audited published Annual Report
OR
b) Audited Balance Sheet and Profit and Loss Statement
OR
c) Financial statements duly certified by 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.
Financial years / previous period as above shall be reckoned from the due date of submission of bids. Audited Annual Report/financial statement needs to be accompanied with UDIN number, which is mandatory from July 2019 onwards. Any Financial Report which is issued after July 2019 onwards without UDIN shall not be considered for evaluation.

Annual Financial details shall have to be submitted along with the original offer within the bid due date. The Financial details submitted after bid due date will not be considered for evaluation, however, any missing document (issued prior to the bid due date) pertaining to the details furnished in the offer shall be allowed for submission.

d) If a Bidder does not submit the aforementioned financial statements for three specified years, then Average Annual Turnover will be calculated based on financial figures of only those specified years for which requisite financial statements are submitted. Turnover will be considered '0' (Zero) for the year(s) for which requisite financial statements are not submitted."

17.3.2 Working Capital:

The working capital against the immediate preceding financial year shall be:

Tender Working Capital Requirement (INR)
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The requirement of working capital in latest balance sheet to be presented by Bidder. Working Capital shall be Current Assets minus Current Liabilities.

Sl. No	Description	Values (In Currency)
1	Current Assets (A)	
2	Current Liabilities (B)	
3	Working Capital (A-B)	

Note: If the bidder's working capital is inadequate, the bidder should furnish a letter for line of credit from any scheduled 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 under BQC. In case of tender having multiple Groups, the bidder shall submit the Line of Credit for the Total value of Working Capital as per BQC of the Groups being participated by the bidder.

17.3.3 Net Worth: -

Bidder shall have **POSITIVE** Net worth.

The financial net-worth of the bidder as per the audited financial results of immediate preceding financial year shall be positive. To establish the same, Bidder shall furnish the latest audited financial statement including Auditors reports, Audited Balance Sheet, Profit & Loss Account, Notes, Annexure (if any) etc.

In case of negative net-worth in the immediate preceding year, the bid will be rejected.
Reserves to be considered for 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.

Bidder shall refer following formulae for calculating Net Worth-

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)			

17.3.4 Indian Bidders should have valid PF, GST registrations and PAN.

17.4 Important Notes:

a) The failure to meet Annual Turnover (ATO) criteria & Net Worth Criteria mentioned above will render the bid to be summarily rejected.
b) No relaxation in PQC is applicable to Start-ups & MSEs
c) Bidder to fill-up questionnaire under PPLC and Land Border Policy.
d) The Last 10 (Ten) Years' experience requested should be ending last day of month previous to one in which the original bid due date falls.

17.5 Document Required for fulfilling qualification Criteria.

For **Pre-Qualification Criteria (PQC) – Technical (If Applicable)**

- Refer point no 17.1 above.

For **Pre-Qualification Criteria (PQC) – Commercial (If Applicable)**

- For fulfilling the commercial experience criteria any one of the following documents may be considered as valid proof for meeting the criteria:

a) Purchase Order copy along with Execution certificate by client/ Consultant with executed order value. In case any other document is submitted by the bidder in support of execution, the same shall be subject to acceptance by the OWNER or its representative.

b) If the vendor cites any reference of a job executed for OWNER or executed for some client through Consultant and the vendor is not able to furnish documentary evidence, the internal records of OWNER or Consultant (as the case may be) shall be considered.

c) Relevant work order copies and completion certificates are to be enclosed with the offer. The Completion Certificates shall have details like work order no. /date, brief scope of work, ordered & executed value of the job, commencement date, completion date etc.

d) In case Bidder has executed and completed Composite Works Contract which includes the qualifying work(s) stated in Cl. No. 3.1 above, then value of such qualifying work(s) out of the total value of Composite Works shall be considered for the purpose of pre-qualification. For Composite Works, in the event the value of the qualifying Work(s) cannot be ascertained from the work order / completion certificate submitted by bidder, Copy of Schedule of Rates / Price Schedule, relevant pages of final Bill certified by OWNER/CONSULTANT for establishing requirement of BQC or written letter from OWNER/CONSULTANT specifying the nature of Work with quantities and executed values can be submitted for qualification.

e) Cost of completed works specified above shall be exclusive of Service Tax / GST. The Bidder shall produce documentary evidence against the Taxes & Duties applicable against the concerned job(s). In case the value of job submitted by the bidder does not have clarity with regard to inclusion/exclusion of Service Tax/GST, the amount appearing in the Completion Certificate shall be considered exclusive of tax and shall be evaluated accordingly.

f) A job executed by a bidder for its own plant/projects shall not be considered as experience for the purpose of meeting requirement of BQC of the Tender. However, jobs executed for Subsidiary/Fellow subsidiary/Holding company will be considered as experience for the purpose of meeting BQC.

g) A job completed by Contractor shall be considered for the purpose of meeting the Experience Criteria of BQC subject to submission of documents in support of meeting the “Bidder Qualification Criteria”:

h) The value of “similar work” shall be escalated at a simple rate of 7% for every completed year and / or part thereof ending last day of the ending last day of the month previous to one in which the original bid due date falls.

i) For calculation of period of escalation of such “similar work” starting date shall be reckoned from the date of completion of the work mentioned in the Completion Certificate to the last day of the month previous to one in which the original bid due date falls.

j) In case, the executed value of Job is more than the Work Order Value and bidder claims for meeting the BQC requirement on the basis of executed value then it is the responsibility of the bidder to submit the documentary evidence of final executed value (such as copy of final bill, executed value mentioned in completion certificate etc.) along with his bid.

k) A job completed by a bidder as a sub-contractor shall be considered for the purpose of meeting the technical and commercial experience criteria of BQC subject to submission of following documents in support of meeting the “Bidder Qualification Criteria”:

i. Copy of work order along with SOR issued by Main Contractor.
ii. Copies of Completion/Commissioning Certificates (as the case may be) issued by the Owner/ Owner's Consultant/Main Contractor. The said Certificates shall have details like work order no. /date, brief scope of work, ordered & executed value of the job, completion date etc. In case bidder is not able to furnish the completion certificates from the Owner/Owner's Consultant in his name then the Certificate issued in the name of Main Contractor shall also be considered as proof of completion of the relevant job, subject to countersigning of the Completion Certificate by the Owner/Consultant.
iii. If the bidder cites any reference of a job executed for NRL or executed for some client through PMC and the bidder is not able to furnish documentary evidence, the internal records of NRL or PMC (as the case may be) shall be considered.
iv. The sub-contractor shall furnish either (a) TDS Certificate in Form 26AS (Annual Tax Statement under Section 203AA of the Income Tax Act, 1961) or (b) Bank Certificate indicating receipt of payment from the Main Contractor.

l) In case of Bidder submitting documents for their Work executed for Private Establishments (other than PSUs), Work Order copy along with either (a) TDS Certificate in form of Form 26AS (Annual Tax Statement under Section 203 AA of the Income Tax Act, 1961) or (b) Bank Certificate indicating receipt of payment from the Owner, shall be required to furnish.

m) **Bidder shall not be allowed to submit new references or document related to such new references with respect to their past experience unless it is not mentioned in the list (past experience) submitted along with the bid.**

18 Mode of Submission.

Offer must be uploaded on e-tender website https://eprocure.gov.in/eprocure/app before the last date & time of submission of tender. Offer submitted using any other mode will not be accepted.

19 Other Requirements

19.1 PF Code Allotment letter/ PF registration.
19.2 Independent ESI Code or undertaking for Independent ESI Code in the Format as Annexure to ITB.
19.3 Power of Attorney in favour of person authorized to submit the bid.
19.4 Copy of PAN card
19.5 Certificate of Incorporation / Partnership deed/Proprietor ship affidavit
19.6 GST Registration Certificate
19.7 All other documents as listed in ITB

20 Tender Inviting Authority

Mr. Sushant Deshpande / Mr. Amit Borkar
Project Procurement Manager
thyssenkrupp Uhde India Private Limited
Uhde House, L B S Marg, Vikhroli (W),
Mumbai - 400083, India.
Phone: +91-22-4047 8504
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21 Contact Persons

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Mumbai - 400083, India.
Phone: +91-22-4047 8504 / 8432
Email: tkUIPL.nrltf@thyssenkrupp.com;

22 Following Government Guidelines / Policies (latest version) shall be considered as part of this Tender and the Applicability of the same is as per below:

Sr. No.	POLICY DESCRIPTION	APPLICABILITY
1	Benefits / Preference for MSEs (Purchase Preference only)	APPLICABLE
2	Purchase preference to Local Content (PPLC Policy 2020-21)	APPLICABLE
3	Domestic Manufacturing of Iron and Steel Policy (DMISP)	Not APPLICABLE
4	Domestic Manufactured Electronic Products (DMEP)	Not APPLICABLE
5	Office Memorandum regarding compliances related to any bidder from a country which shares a Land Border with India.	APPLICABLE

Bidder to attach/ submit the applicable Forms/ Undertaking as per the above policies along with their offer.

23 Contract Performance Bank Guarantee (CPBG) – AS APPLICABLE

CPBG of **10%** of the total order value (Supply Plus Site Work, wherever applicable) shall be submitted by the Seller (including MSEs, Public Sector Undertakings and other Government bodies) within 30 days from the date of award, for order values above INR 10 lakhs.

This bank guarantee shall be valid (shall remain in force) for the guarantee period (as mentioned in the guarantee clause of the tender), with an invocation/claim period of 3 months thereafter or as per the guideline prevailing and applicable at that time.

Total Order value shall mean supply price including packing and forwarding charges/ TPI charges for (FOT dispatch point price for Indian bidder and FOB/ FCA price for foreign bidders) plus site work (wherever applicable) but excluding GST, transportation, Training services, PWAMC and supervision services.

Foreign Suppliers can submit Irrevocable Standby Letter of credit (SBLC) in place of Contract cum Performance Bank Guarantee (CPBG) from any Indian scheduled bank (except Cooperative & Gramin Banks) or from any Indian branch of an international bank.

MSE bidders are not exempted from submission of Contract cum Performance Bank Guarantee (CPBG).

Wherever supervision is included in the scope specified in the MR, bidders shall provide additional BG for an amount equal to per diem charges for the number of days considered for evaluation over and above CPBG to cover compensation for delay in mobilizing the erection/ personnel. This BG will be released to the bidder upon the erection/ commissioning personnel reporting at site. This BG shall be furnished along with last 10% payment and shall be valid up to six months which shall be extended based on the request by NRL.

In the case of package contract where scope of the purchase order also involves Post Warrantee Comprehensive Annual Maintenance Contract (PWCAMC), the bidder has to furnish CPBG equivalent to 10% of the value of PWCAMC valid till expiry PWMC period.

Delay or Non-submission of CPBG within stipulated period:

In case of non-submission of CPBG within the period stipulated, required CPBG amount along with interest for the delayed period shall be recovered from the first RA bill / first Milestone payment, onwards, on proportionate basis, till full recovery.

However, in case, if the Bidder/Contractor submits CPBG before the first RA bill, then interest shall be recovered from the first RA bill, for the delayed period beyond the period stipulated for CPBG.

For the purpose of above mentioned, interest rate shall be @ SBI base rate + 1% as on date of issuance of enquiry.

In case of non-submission of CPBG within one month beyond the period stipulated for it, coupled with non-mobilization / non-performance within the period stipulated for the same, the Termination action along with other contractual penal provisions shall be initiated, as per the contract provisions.

In case of occurrence of any of the above specified events, contractor shall be understood to have defaulted and NRL shall have the right to terminate the contract, at its sole and absolute discretion by issuing a Show Cause notice of 15 calendar days to the Contractor, stating the reason and the intention of NRL to terminate the Contract and to take other penal actions in terms of the contract including extant policy for Suspension/ Banning of Owner.

24 Guarantee/ Warranty/ Defect Liability Period

Guarantee/ Warranty / Defect Liability period shall be as per GPC of NRL. However, for MRs involving site work, Guarantee/ Warranty / Defect Liability period shall be 12 months from the date of handing over complete system to NRL after commissioning.

25 General notes on Bidder Qualification criteria (Pre-Qualification Criteria)

a) Offer from Joint Bidders / Consortium will not be acceptable.

b) tkUIPL-India/ NRL reserve the right to reject Offers with incomplete/ irrelevant documents or anomalies without any communication, at its discretion. Hence, bidders are advised to take utmost care while uploading their prequalification documents. However, NRL reserves the right to seek additional information / missing documents from the bidders.

c) **Bids from following types of Bidders will not be accepted.**

i) If any bidder/ an agency is placed on Holiday/ Negative/ Suspension/ Banning List of or Blacklisted by tkUIPL-India/ NRL, they will not be considered for evaluation, at any stage prior to placement of order.

ii) If any bidder is qualified based on the credential of his parent/ associate/ affiliate etc. and the parent/associate/ affiliate is under the Holiday/ Negative/ Suspension/ Banning List of or Blacklisted by tkUIPL-India/ NRL, the offer from the bidder shall also not be considered for evaluation, at any stage prior to placement of order.
Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL and tkUIPL-India Consultant for the job.

iii) Similarly, if a Bidder is qualified based on engaging a sub-contractor/ sub-vendor who meets stipulated qualification criteria and in case such a sub-contractor/ sub-vendor is on Holiday/ Negative/ Suspension/ Banning List of or Black Listed by the tkUIPL-India/ NRL for the job on due date of submission of Bid / during the process of evaluation of the Bid, the Bid of such a Bidder shall not be considered for bid opening/evaluation/Award.

iv) Further, in case of a Consortium/JV, if any of the member(s) of Consortium/JV is on Holiday/ Negative/ Suspension/ Banning List of or Blacklisted by the tkUIPL-India/ NRL on due date of submission of Bid / during the process of evaluation of the Bids, the offer of such a Consortium/JV shall not be considered for bid opening/ evaluation/ Award.

v) In the event, an Insolvency Event has occurred with respect to Bidder as on the Bid Due Date or during the Bidding Process, the Bids of such Bidder shall be rejected and not considered for evaluation.

vi) Bidder(s) who are under liquidation, court receivership or similar proceedings. In this connection, Bidder shall submit an Affidavit stating that they are not under liquidation, court receivership or similar proceedings.

vii) Bidder(s) who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code).

viii) Bidder(s) whose insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the above Code at any stage of evaluation of the bid.

d) Submission of authentic documents shall be the prime responsibility of the bidder.

e) Wherever OWNER or its representative have concerns or apprehension regarding the authenticity / correctness of any document, OWNER or its representative reserve the right of getting the document cross verified from the document issuing authority/any relevant source. If documents (part or full) are found forged, such offers will be summarily rejected, orders if any placed against subject tender will be terminated and may be debarred from future tenders. For the purpose of verification bidders shall submit complete client details with names, address, phone number, e-mail ID etc.

f) All documents submitted by the bidder towards meeting PQC shall be furnished in a separate booklet titled as "Documentation against Bidder Qualification Criteria" with proper indexing.

g) For fulfilling the financial criteria, annual audited and published financial statements (balance sheet, P & L account, auditor report and all other schedules/notes to balance sheet and P & L account) of the bidder shall be considered as financial proof. The order value and turnover for the purpose of PQC shall be rounded off to the next thousand for rupees or hundred for USD.

h) In case the balance sheet is available in the public domain the same shall be acceptable. Bidder to submit the proof for the same. Else, bidder to submit annual audited financial statements & balance sheet duly notarized for Domestic Bidders OR stamped by Chamber of Commerce of the bidder's country for Foreign Bidders.

i) 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.

j) In case where the bidder cites the reasons of Non-Disclosure Agreement (NDA) for its inability to submit necessary documents in support of meeting the experience criteria, a certificate, in original, certifying all the required information, issued by CEO / CFO of the company along with a declaration that the bidding company is not in a position to submit the required documents owing to the NDA with an endorsement by Chartered Accountant/ Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) may be accepted.

k) Wherever Chartered Accountant / Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) is not in a position to endorse such CEO / CFO's certificate due to local regulations, CEO / CFO's certificate in original without endorsement may be accepted provided a reference to the local regulation restricting this endorsement is given in the CEO / CFO certificate.

l) In case of a MSE bidder, documentary evidence as per the prevailing Government policy shall be acceptable.

m) A Consultant appointed for the project / work shall not be allowed to participate in the tender either directly or indirectly. An indirect participation shall include participation through an affiliate or as subcontractor, consultant or supplier with the exception of participation as TPIA for the same job. The expression 'affiliate' for the purpose of this clause will include any person, or company or association (howsoever designated) who/which is a member of the consultant (if the consultant is a joint venture or consortium or who or which directly or indirectly holds 10% (ten percent) or more of the capital or voting capital of consultant (if the consultant or any of its members is a company or a body corporate) or who or which is consultant or sub-contractor of the consultant with regard to the project.

n) A Company (bidder) shall not be allowed to use the credentials of its parent or any group company to meet the Financial Criteria.

o) Notwithstanding any other condition / provision in the tender documents, bidders are required to submit complete documents pertaining to Qualification Criteria along with their offer. Evaluation may be completed based on the content of the Bid itself without seeking any subsequent additional information, which may result in rejection of Bid. NRL at its discretion, may request bidder to submit the necessary information or documentation, within a reasonable period of time, to withdraw deviation, reservation, or rectify omission in the bid related to documentation requirements. However, Bidder shall not be allowed to submit new references or document related such new references with respect to their past experience unless it is not mentioned in their original offer.

p) The bidders must submit complete and unambiguous documents pertaining to PQC in the first instance itself along with the offer. CONSULTANT/ NRL may not offer any opportunity to the bidder to provide complete or unambiguous documents and reserve the right to proceed on the basis of documents received along with the offer and In case of non-submission of some documents or submission of incomplete or ambiguous documents, the bid may be rejected.

q) The bidder shall not be allowed to submit new references or documents related to such new references with respect to their past experience unless it is not mentioned in the list (past experience) submitted along with the bid.

r) Bidder to refer attached Annexure to ITB for Terms & Conditions for Compliance of Restrictions for bidders from countries which share land border with India and for applicable formats of declarations to be submitted by bidder on bidder's letterhead, failing which the bid shall be rejected.

s) All correspondence must be only in ENGLISH language. In case of Foreign Bidder, if any of the documents in support of meeting PQC are not in English language, then the English translation copy of the same duly certified, stamped and signed by Local Chamber of Commerce shall be furnished along with the document in the un-priced bid. Translation by Indian Embassy/ High Commission or authorized/ approved translation agencies (by Indian embassy/ high commission or any other authority) shall also be acceptable.

t) All documents furnished by the bidder in support of meeting the Bidder's Qualification Criteria (BQC) shall be:

Submitted 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

Submit documents duly notarized by any notary public in the bidder's country or certified true copies duly signed, dated and stamped by an official authorized for this purpose in Indian Embassy/ High Commission in Bidder's country."

OR

The bidder shall submit self-certified documents from any one out of CEO or CFO or Company Secretary of the bidder (Limited company only) along with Self-Certification. This option shall not be applicable to Proprietorship/ Partnership firms.

OR

In the case of PSU, the Power of Attorney holder duly authorized by the Board shall self-certify the BQC documents.

u) The bidders should furnish Permanent Account Number, PF Number, GSTIN and place of registration, ESI Registration Code, Proprietor ship affidavit. and any other statutory requirement (as per provision of the bid document), at the time of submitting their bid.

26 General

Bidder to note the following before bidding:

(a) NRL (Owner)/ tkUIPL-India (Consultant) reserves the right to reject any or all of the tenders or any parts of the tender so received and may cancel the tender in part or full, extend the due date of Tender submission etc. without assigning any reason.

(b) Legal dispute, if any, shall only be within the jurisdiction of the Courts in Golaghat, Assam unless mentioned otherwise.

(c) All communication will be made through e-Tendering web site (https://eprocure.gov.in/eprocure/app) / official email ids of NRL / tkUIPL India.

(d) Bidder cannot make any claim against NRL (Owner) / tkUIPL-India (Consultant) towards its expense incurred in connection with the preparation and delivery of their bids, site visit, participating in the discussion and other expenses incurred during bidding process.

(e) The terms “Pre-Qualification Criteria (PQC)” and “Bidder Qualification Criteria (BQC)” shall have the same meaning in the Bidding Document.

(f) The terms ‘Sl. No.’, ‘Sr. No.’, ‘Cl. No.’ and ‘Clause No.’ used in this NIT document shall have the same meaning.

(g) Bidder should make sure that their priced bid (BOQ) contains only prices. Rates mentioned elsewhere shall not be taken into cognizance. Offer shall be liable for rejection if any condition directly or implied, recorded in Priced Bid (BOQ).

(h) After opening of the technical bids but before the opening of the price bids, the bids may be rejected for unsatisfactory performance or adverse comments which have come to the notice after the issue of the tender enquiry.

(i) Offers not meeting statutory requirement are liable for rejection.

(j) Bidders are advised to regularly visit Announcement section/ Information for DSC/ Bidders Manual Kit/ FAQ of e–Tender Portal.

(k) Refer ITB of the tender document /E-Tendering methodology for more details.

(l) Any Corrigenda / Addenda, subsequent to the publication of the tender, will be published on the CPP Portal. All amendments, time extension, clarifications, etc. will be uploaded in the said websites. Bidders are therefore advised to regularly visit the website to keep themselves updated.

(m) Bidder to submit Cover Page of the Tender Document duly signed and stamped along with all Corrigenda / Addenda published for the respective Tender along with Unpriced Commercial Offer as a token of

acceptance of the whole Tender Documents. Deviations if any to be filled only in the Commercial / Technical Deviation Form available in the Bid Document. Deviations mentioned elsewhere in the Tender shall not be considered for evaluation.

(n) NRL does not take any responsibility for the correctness of tender documents obtained from any other source. Bidders are advised to visit above mentioned website before submitting their offer for official version of the tender document including any corrigendum / amendment if any, which shall be binding to the bidder.

(o) If documents (part or full) are found forged, such offers will be summarily rejected and bidder may be debarred from future tenders.

(p) Successful Bidders shall not use any sub-vendor who is on Holiday List of tkUIPL-India/ NRL.

(q) NRL (OWNER) / tkUIPL (CONSULTANT) reserves the right to disqualify / reject any bid for further evaluation in case of reported Poor Performance of works in past due to financial constraints or due to any other reasons whatsoever attributable to Bidder. Decision of OWNER / CONSULTANT in this regard shall be final.

(r) The bidders shall adhere to the following provisions of the Bidding Document without taking any deviations, failing which the Bid shall be considered to be non-responsive and shall be rejected.

- Declaration for Bid Security / Earnest Money Deposit (EMD) letter or EMD (whichever is applicable)
- Defects liability period.
- Bid Validity.
- Price BOQ format.
- Time schedule.
- Termination and suspension.
- Force Majeure.
- Scope of Supply.
- Integrity Pact (where applicable)
- DMI&SP (where applicable)
- Non-Acceptance of Part Order/Repeat Order
- Governing Law and Seat of Arbitration
- Limitation of Liability

(s) In order to maintain confidentiality of all documents and drawings submitted by Bidder in response to its Unpriced Bid only, Bidder(s) shall upload Password Protected PDF Files only in the portal. For ease, same password shall be used for all the uploaded PDF documents, which will be subsequently shared by email to the officials of NRL/tkUIPL as per the details mentioned at Sr. No. 19 of NIT.

(t) Trade Receivables Discounting System (TReDS): Interested bidders are requested to on-board their firm in the TReDS platform and may communicate to NRL in order to avail the facilities that the portal provides.

(u) For payment administration or issues related to clearance of Tax Invoices, contractors/suppliers may send their response / status request / query etc. to the e-mail ID: livdesk@nrl.co.in;

27. Terms & Conditions

A) The subject tender is an e-tender & can be downloaded from CPPP website.

B) The tender document will not be issued in person or sent by post. Mere obtaining tender document through CPPP website shall, however, not be construed that the bidder/agency is considered qualified.

C) Bidders are mandated to get enrolled on e-Tendering portal (https://eprocure.gov.in/eprocure/app) and enrol their Digital Signature Certificate (DSC).

D) Bidders are advised to read the instructions for participating in the e-tendering from the website

https://eprocure.gov.in/eprocure/app . The Help Documentation placed at Home Page provides necessary guidance to bidders for using the e-Tendering site. A user ID will be issued to each prospective bidder by e-Procurement administrator for participation in e-tendering. Special Instruction to Bidder for e tendering procedure is enclosed as part of tender document.

E) Bidder shall download the Bidding Document in his own name and submit the bid directly. The Bidding Document is non-transferable. Bids submitted by Bidder(s) who have not downloaded the bidding document either directly or through their authorized person will be rejected. Please note that only the person having Power of Attorney to do bidding process on behalf of the bidder shall submit/upload the bid document using their own DSC.

F) As far as possible Bidders are requested to clarify all the technical queries related to tender during the Pre-bid meeting i.e. before the bid opening and ensure compliance of all provisions of the bidding document.

G) NRL (Owner) / tkUIPL-India (Consultant) will not be responsible for non-submission of bid within specified time of tender submission due to any website related problems.

H) In order to maintain confidentiality of all documents and drawings submitted by Bidder in response to its Unpriced Bid only, Bidder(s) shall upload Password Protected PDF Files only in the portal. For ease, same password shall be used for all the uploaded PDF documents, which will be subsequently shared by email to the officials of NRL/tkUIPL as per the details mentioned in the NIT.

I) **Bidders to ensure submission of Correct File Format in the portal. In case NRL / tkUIPL India cannot open the bids due to corrupt bid files / formats/ p password protected priced bid, the offer shall be rejected.**

J) Successful bidder upon award of contract shall consider one-day visit of their Project manager / senior Management / Indian representative on their own expenses to tkUIPL, India Pune / Mumbai office each month after order for progress review meeting. After getting code 2 approval from tkUIPL India, vendor shall incorporate all comments / observation in respective drawings/documents and instead of submitting revised drawings, vendor's Technical team / Indian representative along with laptops and soft copies of these drawings / documents shall visit tkUIPL India Pune/Mumbai office to discuss open points across the table to facilitate early code 1 approval. These vendor visits shall be continued till these documents / drawings get code-1 approval.

K) NRL (Owner) / tkUIPL-India (Consultant) reserve the right to assess Bidder's capability and capacity to perform the Contract by taking into account past performance, and various aspects such as concurrent commitments etc. NRL (Owner) / tkUIPL-India (Consultant) also reserve the right to use in-house information for assessment of capacity of bidder and their performance on jobs completed/in progress for evaluation purpose.

Note: Visit https://eprocure.gov.in/eprocure/app to download tender documents. Addendum / Corrigendum, it shall be hosted on this website only. Bidders are advised to regularly visit the e-Tender portal to keep themselves updated.

Annexure I to NIT

Group wise short-listed bidder

ANNEXURE I to NIT

Tender Reference NO:- TK-1ZZZA-MP-RFQ-0143

Tender Title- SUPPLY OF GASKETS for NRL EXPANSION PROJECT

Sr. No.	SUPPLIER NAME	Group 1 & 2 - Spiral Wound Gaskets	Group 3 - Metallic & Soft iron Gaskets	Group 4 - Non Asbestos Gasket	Group 5 - Metallic & Soft iron Gaskets (Size≥ 14")
1	CHAMPION JOINTINGS PVT LTD.	Yes	**NO**	Yes	**NO**
2	DAVE ENGINEERS PVT.LTD	Yes	**NO**	Yes	**NO**
3	GOODRICH GASKET PVT LTD	Yes	Yes	Yes	Yes
4	IGP ENGINEERS PVT. LIMITED	Yes	Yes	Yes	Yes
5	JAMES WALKER INMARCO INDUSTREIS PVT. LTD	Yes	**NO**	Yes	**NO**
6	MADRAS INDUSTRIAL PRODUCTS	Yes	Yes	Yes	Yes
7	NEOSEAL ENGINEERING PRIVATE LIMITED	Yes	Yes	Yes	Yes
8	SEALANT AND GASKET INDIA PVT LTD	**NO**	**NO**	Yes	**NO**
9	STARFLEX SEALING INDIA PVT LTD	Yes	Yes	Yes	Yes
10	UNI KLINGER LTD	Yes	**NO**	Yes	**NO**
11	PILOT GASKETS AND ENGINEERS	Yes	**NO**	Yes	**NO**
12	HEM ENGINEERING CORPORATION	Yes	**NO**	Yes	**NO**
13	BOMBAY CHEMICAL EQUIPMENTS	Yes	**NO**	**NO**	**NO**
14	TEADIT PACKING AND GASKETS PVT LTD	Yes	Yes	Yes	Yes
15	TEEKAY FLOWFLEX PVT. LTD.	Yes	**NO**	**NO**	**NO**
16	MICRO PRECISION PRODUCTS PVT LTD	**NO**	Yes	**NO**	Yes
17	BJ&P ENGINEERS PRIVATE LIMITED	Yes	Yes	Yes	**NO**

Note:

The Respective bidder shown as '**YES**' under the respective Group of the table-I is eligible to quote against that group.

The respective bidder shown as '**NO**' in the respective group of table-1 is not eligible to quote against the group.