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|  | <b>NUMALIGARH REFINERY EXPANSION PROJECT</b> |  |
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| <b>NOTICE INVITING TENDER- DOMESTIC OPEN TENDER</b>                               |                                              |                                                                                     |

### TENDER DETAILS

**JOB NAME: SUPPLY OF SHELL & TUBE HEAT EXCHANGERS (CS / LAS TUBES) at Numaligarh Refinery Limited**

**Tender Publish Date: 22.12.2021**

#### **Contact Details of EPCM:**

**Name:** Mr. Krishan Pal Singh

**E- Mail:** [krishan.singh@technipenergies.com](mailto:krishan.singh@technipenergies.com)

**Ph.:** +91 9873159556

### Tender Schedule

| SI No | Title                                    | Date & Time              |
|-------|------------------------------------------|--------------------------|
| 1     | Tender Publish Date                      | 22-12-2021               |
| 2     | Tender document download start date      | 22-12-2021               |
| 3     | Tender document download end date & time | 27-01-2022 at 3.00 PM    |
| 4     | Bid Submission start date                | 17-01-2022               |
| 5     | Bid Submission end date & time           | 27-01-2022 at 3.00 PM    |
| 6     | Bid opening date & time (Technical Bid)  | 28-01-2022 after 3.00 PM |

#### **1. SCOPE OF WORK:**

On behalf of **OWNER (NRL)**, M/s. **Technip India Limited (TP)** as **EPCM** invites e-Bids for **SUPPLY FOR SHELL & TUBE HEAT EXCHANGERS (CS / LAS TUBES)** for **NREP** on **Domestic Open Competitive Bidding** under **Single Stage Two- Bid system (Part-1: Techno-Commercial Bid and Part -2: Priced Bid)** from competent Bidders with sound Technical and Commercial capabilities.

##### **1.1 Brief Scope of Work**

Design, engineering, procurement, fabrication, inspection, testing, transportation, and supply of the **SHELL & TUBE HEAT EXCHANGERS (CS / LAS TUBES)** to be installed at Numaligarh Refinery Limited (NRL), Assam including Erection & Commissioning Spares, Mandatory Spares , Special Tools and tackles

Transit insurance shall be arranged by NRL.

(Detailed Scope mentioned in the Material Requisition No: **TP-200663C-130-MR-0610-002**)

**1.2 Location of Work / Site:-** Numaligarh Refinery Limited(NRL), Golaghat, Pin Code - 785699, Assam, India.

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**SALIENT FEATURES OF NOTICE INVITING TENDER (NIT)**

|    |                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <b>Tender No.</b>                                                    | TP/0200663C/NRL/0610-002/1026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2  | <b>Type of Tender</b>                                                | DOMESTIC OPEN COMPETITIVE BIDDING ( <b>E-BIDDING</b> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3  | <b>Mode of Tendering</b>                                             | Open Tender- Single Stage, Two-Bid system                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4  | <b>Name of Work</b>                                                  | <b>SUPPLY OF SHELL &amp; TUBE HEAT EXCHANGERS (CS / LAS TUBES) for Numaligarh Refinery Limited</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 5  | <b>Tender Fee</b>                                                    | <b>NIL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6a | <b>Last date of Receipt of Bidder's Queries for Pre-Bid Meeting.</b> | <b>Not Applicable</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 6b | <b>Pre-Bid Meeting</b>                                               | <b>Not Applicable.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 7  | <b>Earnest Money Deposit (EMD)</b>                                   | Waived<br>Bidder needs to submit Bid Security Declaration as per Annexure J of ITB. MSE bidders need not to submit the Bid Security Declaration.                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 8  | <b>Delivery Schedule</b>                                             | <p><b>11 (ELEVEN) Months DAP Numaligarh, Assam Site basis (Freight by Vendor &amp; Transit Insurance by NRL) from the date of Letter of Award.</b></p> <p>Date of receipt of material at site shall be considered the date of delivery.</p> <p>Note:<br/>Delivery of the material within the stipulated period is the principal essence of this tender. Offers not meeting the delivery schedule shall not be considered for evaluation</p> <p><b>Final destination for delivery of material shall be Numaligarh Refinery Limited (NRL), Golaghat, Assam</b></p> |



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#### Technical Qualification criteria

1. Bidder shall be established manufacturer of Shell & Tube Heat Exchangers and shall be the single point responsibility vendor (SPRV) for the complete exchanger.
2. The Bidder shall have designed, engineered, designed, manufactured, packaged, tested and supplied as minimum TWO (2) Shell & Tube Exchangers with SA179 / SA 213 T11 or higher metallurgy tubes in the last TEN (10) years, from the proposed manufacturing plant according to the requirements of ASME Sec. Div1 / TEMA / API 660 in Refinery / Petrochemical / Fertilizer / Oil & Gas Processing Units
3. Bidder shall fulfil above criteria along with each of the following tag wise qualification
  - a. 1P30-E-1056 / 1P30-E-2159 / 1P30-E-7956  
Type - AES  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 345 mm (min.)  
Shell/Tube Side design pressure – 27 kg/cm2g or higher
  - b. 1P30-E-1258 / 1P30-E-9557  
Type - AES  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 600 mm (min.)  
Shell/Tube Side design pressure – 20 kg/cm2g or higher
  - c. 1P30-E-1257 / 1P30-E-1356 / 1P31-E-2664  
Type - AES  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 1020 mm (min.)  
Shell/Tube Side design pressure – 24 kg/cm2g or higher
  - d. 1P30-E-2161 / 1P31-E-2661 / 1P30-E-2662  
Type - AKT  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 920 mm (min.)  
Shell/Tube Side design pressure – 24 kg/cm2g or higher
  - e. 1P30-E-2157 / 1P31-E-2862  
Type - AKT  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 1250 mm (min.)  
Shell/Tube Side design pressure – 22 kg/cm2g or higher

9.1



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9.1

- f. 1P31-E-2759  
Type - BES  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 460 mm (min.)  
Shell/Tube Side design pressure – 20 kg/cm2g or higher
- g. 1P30-E-2158 / 1P31-E-9556  
Type - BEU  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 630 mm (min.)  
Shell/Tube Side design pressure – 36 kg/cm2g or higher
- h. 1P31-E-2861  
Type - BEU  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 1040 mm (min.)  
Shell/Tube Side design pressure – 21 kg/cm2g or higher
- i. 1P30-E-2856  
Type - BEU  
MOC Shell or Channel – SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA 213 T11 or higher  
Shell Dia – 1000 mm (min.)  
Shell/Tube Side design pressure – 38 kg/cm2g or higher
- j. 1P31-E-2758  
Type - CEU  
MOC Shell or Channel – SA106 Gr. B / SA234 WPB / SA 516 Gr. 60N / SA516 Gr. 70N or higher  
MOC Tubes – SA179 or higher  
Shell Dia – 400 mm (min.)  
Shell/Tube Side design pressure – 132 kg/cm2g
- Above criteria of MOC Shell or Channel, MOC Tubes and Shell Dia has to be met in one entire Shell & Tube Heat Exchanger for each of the specified BQC
  - Above criteria of Type and Pressure has to be met in one entire Shell & Tube Heat Exchanger for each of the specified BQC
4. The bidder shall be manufacturer of Shell & Tube Heat Exchangers who has accreditation from ASME for their products, services and quality systems (U stamp certification for pressure equipment)  
Note: - The Ten (10) years, time period mentioned above shall be reckoned from initial bid due date

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| 9.2                                                                  | <u>COMMERCIAL EXPERIENCE CRITERIA: DELETED</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      |                         |                                      |                           |  |  |                                                    |  |  |                                      |  |  |                              |  |  |                                                                      |  |  |                       |  |  |
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| 9.3                                                                  | DELETED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                      |                         |                                      |                           |  |  |                                                    |  |  |                                      |  |  |                              |  |  |                                                                      |  |  |                       |  |  |
| 9.4                                                                  | Financial Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                      |                         |                                      |                           |  |  |                                                    |  |  |                                      |  |  |                              |  |  |                                                                      |  |  |                       |  |  |
| 9.4.1                                                                | <p>The Average Annual Turnover of Bidder shall be equal to or more than ₹ 3.84 Cr. during preceding 3 (Three) Financial Years.</p> <p>For fulfilling the Financial criteria (ATO) an audited balance sheet and profit &amp; loss account of the Bidder shall be considered as acceptable proof.</p> <p>Published Annual Report available in the public domain shall also be acceptable.</p> <p>Note: If the financial Statement(s) is prior to implementation of GST, and the Excise Duty is shown extra in the Financial Statement, the Turnover shall be inclusive of Excise Duty but excluding other income.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                      |                         |                                      |                           |  |  |                                                    |  |  |                                      |  |  |                              |  |  |                                                                      |  |  |                       |  |  |
| 9.4.2                                                                | <p><b>Bidder shall have Positive Net Worth for the immediate preceding financial year as per the latest Audited Report.</b></p> <p>To establish the Positive Net Worth, Bidder shall furnish the latest Audited Financial Statement including Auditors reports, Audited Balance Sheet, Profit &amp; Loss Account, Notes, Annexure (if any) etc.</p> <p>In case Net worth is negative in the immediate preceding financial year, the bid shall be rejected. The net worth means paid up share capital, share application money pending allotment* and reserve # less accumulate losses and deferred expenditure to the extent not written off. Net worth shall be calculated using the following formula:</p> <p># 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.</p> <table><tr><th>Description</th><th>Values<br/>(in currency)</th><th>Reference<br/>(Page no., Clause etc.)</th></tr><tr><td>Paid up Share capital (A)</td><td></td><td></td></tr><tr><td>Add: Share Application Money pending allotment (B)</td><td></td><td></td></tr><tr><td>Add: Reserves (As defined above) (C)</td><td></td><td></td></tr><tr><td>Less: Accumulated Losses (D)</td><td></td><td></td></tr><tr><td>Less: Deferred Revenue Expenditure to the extent not written off (E)</td><td></td><td></td></tr><tr><td>Net Worth (A+B+C-D-E)</td><td></td><td></td></tr></table> | Description                          | Values<br>(in currency) | Reference<br>(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) |  |  |
| Description                                                          | Values<br>(in currency)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Reference<br>(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)                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                      |                         |                                      |                           |  |  |                                                    |  |  |                                      |  |  |                              |  |  |                                                                      |  |  |                       |  |  |



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|       | <p>For 9.4.1 above, 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 previous year immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate 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 previous year 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 preceding financial year only.</p> <p>Any of the following documents furnished by the bidder in support of above clause shall be acceptable:</p> <p>A) Audited published Annual Report ; OR<br/>B) Audited Balance Sheet and Profit &amp; Loss statement; OR<br/>C) Financial statements duly certified by 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.</p> <p>Audited Annual Report / financial statements 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.</p> <p>The failure to meet Annual Turnover (ATO) criteria as per clause 9.4.1 &amp; Net Worth Criteria as per clause 9.4.2 mentioned above will render the bid to be summarily rejected.</p> |
| 9.4.3 | <p><b>Working Capital:</b> The Bidder must have a minimum Working Capital of amount equivalent to <b>₹ 1.3 Cr</b> as per immediate preceding financial year Audited Annual Report.<br/><b>Working Capital shall be Current Assets minus Current Liabilities.</b></p> <p>If the bidder's working capital is inadequate, the bidder should furnish a letter for line of credit from any scheduled bank in India or a commercial bank 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 10    | <b>Documentation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10.1  | <p>The bidder shall, in his own interest, furnish complete documentary evidence, as under, to justify that the bidder meets the Qualification Criteria as given above.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>10.2</b> | <p><b><u>For Technical Criteria:</u></b></p> <p>Bidder shall submit the following documents to establish that the bidder meets the Qualification requirements as per clause no. 9.1 above of this document:</p> <ul style="list-style-type: none"> <li>a) Documentary evidence like General Arrangement Drawing or Datasheet</li> <li>b) Documentary evidence like copies of Purchase Order and Inspection release note (IRN) or Delivery Note, towards meeting PTR requirements in the above clause based on which qualification is sought.</li> </ul> <p>NRL (Owner) / Technip-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) / Technip-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</p> <p><b><u>For Commercial Criteria:- DELETED</u></b></p> |                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>11</b>   | <p><b>Mode of Submission</b></p> <p>Bids shall be submitted online only at CPPP website: <a href="http://eprocure.gov.in/eprocure/app">http://eprocure.gov.in/eprocure/app</a>. Tenderer/Contractors are advised to follow the instructions provided in the 'Instructions to the Bidders' for the e-submission of the bids online through the Central Public Procurement Portal for e Procurement at <a href="http://eprocure.gov.in/eprocure/app">http://eprocure.gov.in/eprocure/app</a>.</p> <p>For any assistance you may please contact our service provider personal: Dhiraj Mohan Saikia, Phone No. 03776 – 265774, email : <a href="mailto:z_tender@nrl.co.in">z_tender@nrl.co.in</a></p> <p>Bid submission or queries relating to CPP Portal in general may be directed to the CPP Portal Helpdesk at 0120- 4200462 / <a href="mailto:support-eproc@nic.in">support-eproc@nic.in</a></p>                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>12</b>   | <b>Language</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | English                                                                                                                                                                                                                                                                                                                                                                              |
| <b>13</b>   | <b>Bid Validity</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 4 Months from the bid due date/extended due date                                                                                                                                                                                                                                                                                                                                     |
| <b>14</b>   | <b>Non-Disclosure Agreement ( NDA / Licensor)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>Cutoff Date for Submission of NDA: <b>29.12.2021</b></p> <p>Only the Commercial Part and Priced Part of the Bidding Document along with the Confidentiality Agreement Format are being issued and uploaded on the e-tendering portal (<a href="http://eprocure.gov.in/eprocure/app">http://eprocure.gov.in/eprocure/app</a>).</p> <p>Technical Part (i.e., MR) of the bidding</p> |



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|     |                                                                                       | <p>document is not issued / uploaded on the e-tendering portal<br/>(<a href="http://eprocure.gov.in/eprocure/app">http://eprocure.gov.in/eprocure/app</a>).</p> <p>Bidders will be required to execute a separate Confidential agreement with PROCESS LICENSOR , as a prerequisite for accessing Technical section including the Licensor Specific Confidential Documents of the enquiry. Bidder shall download the format of Confidentiality Agreement enclosed with this enquiry and submit the scan copy duly filled in, signed and stamped by the authorized signatory of the bidder within the cut-off date and time as mentioned in NIT.</p> <p>After verifying the confidentiality agreement as received from the bidders and after receipt of a reconfirmation from the bidder through e-mail that the NDA has been signed by the competent authority, the Technical Section along with the Licensor Specific Confidential Documents of the enquiry shall be issued separately in Physical form / CD through courier or email or Secured FTP server, only to the bidders, whose Confidentiality Agreement are found to be correct and in line with the prescribed format and accepted by Licensor.</p> |
| 15. | <b>Contact Details for Submission of Non-Disclosure Agreement ( NDA) thru e-mail.</b> | <p>In order to accelerate the approval process from Legal team, we request you to include the following phrase "SIGNED WITHOUT ANY DEVIATION" close to your signature (in CLG NDA) and send back within cut of date to M/s Technip at following email ids :-</p> <p>E-mail: <a href="mailto:Ls.nagi@technipenergies.com">Ls.nagi@technipenergies.com</a><br/><a href="mailto:Krishan.singh@technipenergies.com">Krishan.singh@technipenergies.com</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 16  | <b>Addition / Deletion Rates</b>                                                      | <p>The addition/deletion items are optional, and are not considered for evaluation. The requirement of these optional items shall be evaluated as per the actual site conditions at a future date. In case of future requirement of these items, the respective rates shall be executed at the item wise lowest rate quoted by any other bidder for the same item</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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|--|--|-------------------------------------------------|
|  |  | against the tender as per the tender condition. |
|--|--|-------------------------------------------------|

#### 17. General notes on Bidder Qualification criteria (Pre-Qualification Criteria)

- a) Offer from Joint Bidders / Consortium will not be acceptable.
- b) The Offers with incomplete/ irrelevant documents or anomalies are liable to be rejected without any communication. Hence, bidders are advised to take utmost care while uploading their prequalification documents.
- c) **Bids from following types of Bidders will not be accepted**
  - i. Who are in the Holiday/ Suspension /Banning List / Negative list of Licensor or the Owner or its Administrative Ministry, MOPNG or any other OIL PSUs or EPCM on due date of submission of Bid / during the process of evaluation of the Bid. Provided always that, nothing in this clause shall make a Bidder eligible hereunder if the Bidder has been removed from any of the Holiday Lists after the due date of submission of bids.
  - ii. 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 List/ Negative List/ Suspension List/ Banning List of Licensor or the Owner or MOPNG or any other OIL PSUs 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.
  - iii. Further, in case of a Consortium/JV, if any of the member(s) of Consortium/JV is on Holiday List/ Negative List/ Suspension List/ Banning List of Licensor or the Owner or its Administrative Ministry, MOPNG or any other OIL PSUs or EPCM 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.
  - iv. 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.
  - v. 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.
  - vi. Bidder(s) who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code).
  - vii. 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

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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 or any company employee having power of attorney issued on his name allowing issuance of such certificate 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) or duly notarized by any notary public in the bidder's country 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.

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- 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 PQC along with their offer. Failure to meet the PQC will render the bid to be summarily rejected. NRL reserves the right to complete the evaluation based on the details furnished by the bidder, with or without seeking any additional supporting documents /clarifications.
- 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 Incase of non-submission of some documents or submission of incomplete or ambiguous documents, the bid may be rejected.
- q) 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.
- 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 is liable for rejection.
- 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:

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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

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 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.

## 18. General

### **Bidder to note the following before bidding:**

- (a) Relevant supporting documents towards other requirements specified are also to be uploaded along with Techno- commercial bid failing which bid is liable for rejection.
- (b) NRL (Owner)/ Technip (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.
- (c) Legal dispute, if any, shall only be within the jurisdiction of the Courts in Golaghat, Assam unless mentioned otherwise.
- (d) All communication will be made through e-Tendering web site (<https://eprocure.gov.in/eprocure/app>) / official email ids of NRL / Technip (EPCM) , Noida office India.
- (e) Bidder cannot make any claim against NRL (Owner) / Technip (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.
- (f) 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).
- (g) 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.
- (h) Offers not meeting statutory requirement are liable for rejection.

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- (i) Bidders are advised to regularly visit Announcement section/ Information for DSC/ Bidders Manual Kit/ FAQ of e-Tender Portal.
- (j) Refer ITB of the tender document /E-Tendering methodology for more details.
- (k) 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.
- (l) **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.**
- (m) 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.
- (n) If documents (part or full) are found forged, such offers will be summarily rejected and bidder may be debarred from future tenders.
- (o) **Successful Bidders should not been banned or de-listed or Holiday/ Suspension/ banning list of OWNER, any other OIL PSU / Administrative Ministry (MoPNG) . If banned, then this fact must be clearly stated.**  
  
**Bidder shall not use any sub-vendor who is banned or de-listed or on Holiday/ Suspension/ banning list of OWNER, any other OIL PSU / Administrative Ministry (MoPNG).**
- (p) **NRL (OWNER) / Technip (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 what so ever attributable to Bidder. Decision of OWNER / CONSULTANT in this regard shall be final.**
- (q) No Foreign Principal can engage / authorize more than one Indian Agent / Authorized representative in India on behalf of the Principal. In case authorized dealers/ distributors/ Agent/ Authorised Representative participates along with the OEM / Principal in a tender, the offer from OEM / Principal will only be considered.
- (r) In order to consider offer submitted by Indian Agent/ Authorized representative in India on behalf of Foreign Principal /OEM, Foreign Principal / OEM must meet the PQC requirement of the Tender. Single Point Responsibility for execution of the complete job (as per scope of tender) shall be with Foreign Principal (i.e. OEM) only.
- (s) 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 are liable to be rejected.
  - Declaration for Bid Security / Earnest Money Deposit (EMD) letter or EMD - as applicable
  - Defects liability period.
  - Bid Validity.
  - Price BOQ format.
  - Time schedule.

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- 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

- (t) “ Bidder(s) at his own discretion may also explore the possibility of Rail Transportation of Material/Equipment etc. up to Railway siding (NMGS) adjacent to Refinery Expansion Project Site. For the purpose they may contact:--

**Divisional Operations Manager (I/c), Tinsukia, NF Railway, Mobile No-9957555900, Land Line-(0374) 2338969**

Above is information only and no way to be considered as a part of terms and conditions of this tender document.”

#### **19. Terms & Conditions for e-bidding**

- The subject tender is an e-tender & can be downloaded from CPPP website.
- 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.
- Bidders are mandated to get enrolled on e-Tendering portal (<https://eprocure.gov.in/eprocure/app>) and enrol their Digital Signature Certificate (DSC).
- 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.
- 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.
- 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.
- NRL (Owner) / Technip (EPCM) will not be responsible for non-submission of bid within specified time of tender submission due to any website related problems.
- Bidders to ensure submission of Correct File Format in the portal. In case NRL / Technip (EPCM) cannot open the bids due to corrupt bid files / formats, the offer shall be rejected.**
- Successful bidder upon award of contract shall consider one-day visit of their Project manager / senior



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Management / Indian representative on their own expenses to Technip (EPCM) , Noida office each month after order for progress review meeting. After getting code 2 approval from Technip (EPCM) , Noida office 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 Technip (EPCM) , Noida office to discuss open points across the table to facilitate early code 3 approval. These vendor visits shall be continued till these documents / drawings get code-3 approval.

- J) NRL (Owner) / Technip (EPCM) 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) / Technip (EPCM) , 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.

### SUMMARY OF TENDER:

|    |                                                                                                                            |                                                                                                                  |
|----|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 1  | <b>Integrity Pact Agreement</b>                                                                                            | Applicable                                                                                                       |
| 2  | <b>Reverse Auction</b>                                                                                                     | Not applicable for this Tender                                                                                   |
| 3  | <b>Consortium/JV Bidding</b>                                                                                               | Not applicable for this Tender                                                                                   |
| 4  | <b>Contract Performance Bank Guarantee (CPBG)</b>                                                                          | Applicable                                                                                                       |
| 5  | <b>Benefits/Preference for MSE</b>                                                                                         | Purchase preference only applicable. Relaxation to BQC /PTR to Startup and MSE is not applicable for this tender |
| 6  | <b>PP-LC 2020-21</b>                                                                                                       | Applicable                                                                                                       |
| 7  | <b>DMEP</b>                                                                                                                | Not applicable for this Tender                                                                                   |
| 8  | <b>DMI&amp;S Policy</b>                                                                                                    | Not Applicable                                                                                                   |
| 9  | <b>NDA</b>                                                                                                                 | Applicable                                                                                                       |
| 10 | <b>Office Memorandum regarding compliances related to any bidder from a country which shares a Land Border with India.</b> | Applicable                                                                                                       |

**L S Nagi**  
**GM – Procurement**

For and on behalf of  
Technip India Limited