

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 1 of 16

NOTICE INVITING e-TENDER

tkIS-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.

- Tender No. / NIT No.:** **TK-1P27A-MP-RFQ-0009**
- E-Tender ID:** **2022_NRL_668821_1**
- Type of Bid:** OPEN TENDER - DOMESTIC COMPETITIVE BIDDING UNDER TWO BID SYSTEM
- Name of Work:**
Supply of following **INTEGRATED ANALYSER SYSTEM** as per Technical Specifications for Numaligarh Refinery Limited, Assam, INDIA.

Sr. No.	Item/Tag No	Description	Qty
1	1P27-AS-0001	Analyser Shelter -01 No.	1 Lot
2	1P27- AT -300001	Gas Chromatograph (Benzene)-1 No.	
3	1P27- AT-300002	Sulphur Analyser-1 No.	
4	1P27- AT-302601	Sulphur Analyser-1 No.	

Note:

- Evaluation will be carried out for complete lot for above equipment. Bidder have to quote for All of the above items as one lot. Order against above lot cannot be further splitted and one lot shall be considered as a non-divisible item. Incase, if the bidder doesn't quote any of the single item from above list, then his quote will not be considered for further evaluation.

4.1 Brief Description

Design, detail engineering, procurement, manufacturing, testing & inspection, factory acceptance testing (FAT), packing, forwarding, transportation, route survey (if required), site acceptance testing (SAT) and supply till site including Commissioning spares, Mandatory spares , Special Tools & Tackles ,Consumables, 2 Year Operational Spares, Training and Site Supervision of erection and commissioning 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:

- Sixteen (16) 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.
- Delivery is of highest consideration & above is the maximum delivery period. Offers not meeting the delivery requirement will be rejected.
- Price reduction schedule for delay in delivery shall be applicable as per ITB.

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			 Rev 00 Page 2 of 16

6. Tender download schedule

From: 18/01/2022 (17:00 Hrs. IST) to 15/02/2022 (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) : 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 tkIS, 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 tkIS India – By 01/02/2022 (17:00 Hrs. IST)

10. Start date for submission of tender

From 08/02/2022 (12:00 Hrs. IST)

11. Bid submission up to

Up to 15/02/2022 (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 16/02/2022 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): -

Applicable. However, bidders (Excluding MSE Bidders) to furnish Declaration for Bid Security / Earnest Money Deposit (EMD) as per enclosed format to ITB on the Bidder's Letterhead.

Value of EMD shall be INR 4,00,000/- (Indian Rupees Four Lakhs only)

Indian bidder must upload proof of EMD submission through Online/BG in unpriced part of the Bid in CPP Portal. In case bidder fails to upload the scanned copy of proof of EMD submission, bid shall not be considered for evaluation.

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 3 of 16

Also, Indian bidders submitting the EMD in the form of Bank Guarantee (BG)/DD (DD Option shall be applicable only for tender floated in GeM Portal) etc. shall submit original BG/DD etc. in a sealed envelope to the address mentioned as per the tender document so as to receive within 7 days of bid due Date.

Scanned copy of Earnest Money Deposit (EMD) shall be submitted along with Techno-Commercial Bid only. The Hard Copy of the BG should reach to Tender Inviting Authority before Bid submission due date. In case of Bank guarantees, if these are sent directly by the Bank, a certified copy of the said BG shall be enclosed along with the techno-commercial offer.

The BG shall be from Nationalised or Scheduled Bank only and the Bank Guarantee shall be in NRL's Format.

EMD exemption shall be applicable for Micro or Small Enterprises registered with District Industries Centers or Khadi and Village Industries Commission or Khadi and Village Industries Commission or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or any other body specified by Ministry of Micro, Small and Medium Enterprises or Udyog Aadhaar Memorandum. The certificate issued should be valid on the date of opening of tender. Consideration of MSME bidders shall be as per prevailing MSE guidelines only.

Bids not accompanied with EMD shall be rejected.

There will be no waiver of EMD for Public Sector Undertakings of Central/ State Governments.

The BG for EMD shall remain valid for a period not less than the original offer validity plus 3 months, with a claim period of another 3 months.

If the BG towards EMD is not in the required proforma, but acceptable otherwise (considering amount & issuing bank) the Bidder would be asked to resubmit the same in the required pro-forma. In lieu of correction to BG, fresh BG is not acceptable.

EMD/ Bid securities shall be released to the bidders in the following circumstances:

- EMD/ Bid securities of bidders whose price bids are not opened/ disqualified during techno-commercial bid evaluation (unsuccessful Bidder) shall be released immediately by Consultant after approval of price bid opening.
- EMD/ Bid securities of bidders qualified in the techno-commercial bid but unsuccessful for placement of Purchase Order shall be released after final approval of the placement of Purchase Order by the competent authority.
- EMD/ Bid securities of the successful bidder shall be sent to NRL & shall be released by NRL on receipt of acceptable PBG.
- In case Owner/ Consultant decides to cancel / annul the enquiry at any stage during the bidding process but before the award (as applicable), EMD/ Bid securities of the bidders shall be returned at the earliest from the date of such decision.

In case of EMD is submitted online, NRL shall return the EMD submitted online directly to unsuccessful Bidders, on advice from PMC/EPCM Consultant.

The offer shall be rejected, EMD shall be forfeited and the Supplier shall be put on " Holiday/ Suspension/ banning list, as applicable" of Consultant& Owner (as per their prevailing policy) in case,

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 4 of 16

either of the following:

- The bidder alters / modifies / withdraws the bid suo-moto after opening the techno-commercial bids but within the validity period and / or submits multiple bids/ alternative bids.
- If the successful bidder fails to accept arithmetical corrections.
- If the Information/ documents submitted by the bidder in the bid is found to be false/ forged.
- The successful bidder fails to deposit the CPBG/PBG or to execute the order
- The successful bidder is not ready to accept Work Order / Contract or giving any conditional acceptance of Work Order /Contract.

In addition to above EMD shall be released to the bidders in the following circumstances:

- EMD of bidders whose price bids are not opened/ disqualified during techno-commercial bid evaluation (unsuccessful Bidder) shall be released immediately by Consultant after approval of price bid opening.
- EMD of bidders qualified in the techno-commercial bid but unsuccessful for placement of Purchase Order shall be released after final approval of Award recommendation for the placement of Purchase Order by the competent authority.
- EMD of successful/recommended bidder shall be sent to OWNER & shall be released by OWNER on receipt of acceptable Performance Bank Guarantee/Security Deposit. In case Consultant / Owner decides to cancel / annul the enquiry at any stage during the bidding process but before the award (as applicable), EMD of the bidders shall be returned at the earliest from the date of such decision.

Bidder shall have to submit the following documents in original in envelopes before the bid due date and time apart from uploading with online offer :

- Original EMD (BG) as applicable

In case the Bidder fails to submit the EMD BG in original within 7 calendar days of the due date and time, his bid shall be rejected, irrespective of their status / ranking in tender and notwithstanding the fact that a copy of EMD was uploaded earlier by the Bidder on the e-tendering portal.

Bidder(s) must follow the following for submission of online EMD:

- User Manual for Bidders is available in NRL Website under <https://www.nrl.co.in> → Tenders → Tender Manual → EMD Online Deposit Manual (HDFC Bank Payment Portal)
- Visit HDFC Bank Payment Portal URL: <https://nrl.procure247.com>
- Click on 'Bidder Registration'
- Bidder Registration Screen shall appear – Fill the mandatory details required and complete the process.
- On successful submission of details in bidder registration form, bidder will get the system generated link to verify his/her email id and login to the website. Without verifying email id bidder may not be able to login to the system.
- After successful email verification – please login with your user id and password
- Bidder will receive system generate One Time Password (OTP) on their registered mobile number. In case not receiving of OTP please click Regenerate OTP and login.
- After login Screen bidder can search the tenders and proceed for EMD payment.
- Bidders' have to click on Payment Dashboard option available under Action tab
- Payment Dashboard – Click on Pay to proceed further for the selection of payment mode.
- Smart Hub – Bidders' can select the online payment and click on Pay to proceed further.

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 5 of 16

- After click on Pay – Bidder will get an option for Cards and Net Banking. Bidders can select their preference and proceed further for the payment.
- On successful payment bidder will receive system generated message on screen stating “EMD paid successfully”
- Bidders’ can also download the Payment receipt from Payment Dashboard.
- Downloaded payment receipt – Bidders’ can easily print the receipt and use it for their bidding purpose.
- Since the HDFC Bank payment gateway is not under the CPPP, so the payment mode is mentioned as offline (BG) in the CPP portal. Bidder has to make a dummy entry in the EMD fields of CPPP by putting ‘Transaction ID’ (HDFC Bank payment receipt) as instrument no., payment date as issue date, any date as expiry date, and bank name as issuer details. Please upload the EMD payment receipt along with technical bid.
- For any technical help, the bidders can contact HDFC Bank executive Mr. Tapan Desai at Mobile No: 8866287104 and email: tapan@tender247.com.

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

16. Pre-qualification Criteria(PQC):

Similar Completed Order/ Work(s): Applicable as per below.

The intending tenderers shall furnish proof of their pre-qualification and experience along with the Part-I (Techno- commercial bid).

16.1 Pre-qualification Criteria(PQC) – Technical: **APPLICABLE**

Applicable as per enclosed Annexure 1 to NIT for respective equipment as below,

TECHNICAL PQC

Bidder shall fulfill the following eligibility / qualification criteria:

EXPERIENCE CRITERIA (TECHNICAL):

16.1.1 Required experienced criteria is detailed below

- The bidder can be original analyser manufacturer(OEM) of analyser systems or an authorized dealer of OEM or analyser system integrator.
Bidders who are authorized dealer of OEM / analyser system integrators should furnish along with the bid written agreement from OEM clearly indicating scope of responsibilities as mentioned below. The document

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			 thyssenkrupp
				Rev 00 Page 6 of 16

must be signed by Analyser manufacturer corporate level signatory.

- a. OEM assumes complete responsibility and provides written guarantee for their involvement with the bidder in all phases of work including engineering, assembly, integration and testing of the system and shall ensure completion of contract in case of bidder failing to do so.
 - b. Analyser Sample Handling System and sample return scheme drawing shall be designed or vetted by the OEM.
 - c. OEM shall indicate make of critical components of Sample handling system, which can be either supplied by OEM or can be procured by bidder.
 - d. Authorized dealer of OEM / analyser system integrator shall submit authorization letter from OEM to quote on their behalf with OEM guarantee for supply and services.
 - e. OEM's representative /or factory trained/ qualified engineer certified by OEM shall be present during FAT and for Site Services.
- b. The offered analyzer system shall have been supplied (at least 1 no of analyzer of each type which bidder is quoting) by the bidder or their OEM to any hydrocarbon sector like refineries/ petrochemical / oil & gas process unit during 5 years' period ending last day of the month previous to the one in which the tender is floated. PESO certification as mentioned in Technical specifications must be provided.
 - c. Bidder shall have well established service support setup and experience of providing satisfactory maintenance services in India for the quoted analyzer systems.
Bidder shall submit Details of Service Centres and information on service support facilities that would be provided during the warranty period.
 - d. OEM shall guarantee continuous service support for at least (10) ten years in India for quoted analyzer system. The supplied analyser system shall not be withdrawn by analyser manufacturer from Indian market in next (10) ten years from the date of placement of order. Bidder and OEM shall continue to support the purchaser in providing back-up engineering, maintenance support and spare part support for a period of 10 years from the date of Expiry of Warranty. A Declaration to the effect shall be provided by the bidder & the analyser manufacturer with the offer.
 - e. The Bidder shall submit documentary proof evidencing the completion of Supplies, Installation and commissioning of the above referred equipment at the Purchaser's Site. Such documents could comprise of Delivery Challan or Goods Receipt Note duly stamped and signed by the Purchaser, or a Letter from the Purchaser certifying receipt of the Equipment at Site duly certified by the Purchaser / End Client / PMC / EPCM and End user completion certification.
 - f. The analysers which are supplied as mentioned above (For which documentary evidence is submitted) shall be field proven and should have been operating satisfactorily for a period of minimum 6 months after commissioning reckoned from bid due date in conditions / services similar to as specified in tender specification data sheets. Item with prototype designs or items not meeting provenness criteria specified above shall not be offered.
 - g. Bidder shall provide Proven Track Record (PTR) for quoted analyser model in the PTR Form (attached with individual technical specifications) fulfilling criteria indicated in the Proven track record. Bidder offer not fulfilling PTR criteria will not be considered.

16.1.2 Following documents which are asked to submit for PQC shall be ensured with the Bid:

- a) Authorization letter from OEM as asked in clause 16.1.1-a

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 7 of 16

- b) Proof of supply & ERP as asked in clause 16.1.1-b
- c) Documentary evidence for service capability of bidder as per clause 16.1.1.c
- d) OEM undertaking for services support as per clause 16.1.1.d
- e) Documentary evidence for clause 16.1.1-e
- f) Documentary evidence for clause 16.1.1-f
- g) Proven Track Record (PTR) clause 16.1.1-g

Bidder is required to furnish additional information as requested by NRL/tkIS during evaluation stage to justify the PQC is being met. In addition, latest manufacturer's catalogue and general reference list for proposed equipment shall also be furnished along-with the Bid.

16.1.3 All the above mentioned clauses 16.1.1 & 16.1.2 shall be read in conjunction.

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

16.3 Pre-qualification Criteria(PQC) – Financial: APPLICABLE

16.3.1 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: - **INR 1,12,50,000/-**

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.

16.3.2 Working Capital:

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			 thyssenkrupp
				Rev 00 Page 8 of 16

The working capital against the immediate preceding financial year shall be: **INR 37,50,000/-**

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 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.

16.3.3 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)		

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

16.4 Important Notes:

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

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			 Rev 00 Page 9 of 16

falls.

16.5 Document Required for fulfilling qualification criteria

For Pre-qualification Criteria(PQC) – Technical (If Applicable)

- Refer Annexure-1 Technical PQC

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:

- Purchase Order copy along with Invoice(s) and Proof of Payment. Bidder shall also self-certify that the supplies against the invoices covering the “similar order” have been executed to the required value.
- Purchase Order copy along with Execution certificate by client/ Consultant with executed order value
- In case any other document is submitted by bidder in support of execution, the same shall be subject to acceptance by the OWNER or its representative.
- 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.

17. 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.

18. Other requirements

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

19. Tender Inviting Authority

Mr. Sushant Deshpande / Mr. Amar Sonsale

Project Procurement Manager

thyssenkrupp Industrial Solutions (India) Private Limited Mumbai

Email: sushant.deshpande@thyssenkrupp.com/ amar.sonsale@thyssenkrupp.com

20. Contact Persons

Mr. Souvick Banerjee / Mr. Sushant Deshpande

thyssenkrupp Industrial Solutions (India) Private Limited

(Formerly Uhde India Private Limited)

Uhde House, L B S Marg, Vikhroli (W),

Mumbai - 400083,India.

Phone: +91-22-4047 8504 / 8432

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 10 of 16

Email: tkisindia.nrltf@thyssenkrupp.com;

21. Important Documents

21.1 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** (enclosed in the Bid Document) duly signed along with the Bid.

21.2 Power of Attorney – APPLICABLE

Bidder shall be required to submit the power of attorney in the name of its authorized signatory who is submitting the Bid.

22. Purchase Preference As per Government Policy

Applicable as mentioned in the Tender.

23. Contract Performance Bank Guarantee (CPBG) – AS APPLICABLE

Contract Performance Bank Guarantee of 3% of Order Value (Supply Plus Site Work, where ever applicable) plus GST shall be required (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 guarantee period (as mentioned in the guarantee clause of the tender), with an invocation period of six months thereafter.

The Order value shall mean supply price including packing and forwarding charges/ TPI charges (FOT dispatch point) plus site work (wherever applicable) but excluding GST, transportation, Training services, PWAMC and supervision services.

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 10% PBG 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 case of package contract where scope of the purchase order also involve 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.

24. Guarantee/ Warranty/ Defect Liability Period

Materials shall be guaranteed against manufacturing defects, materials, workmanship and design for a period of 24 months from the date of commissioning or 30 months from the date of last dispatch whichever is earlier. Warranty for replacement of material/accessories should be provided free of charges at our premises. The above guarantee/warranty will be without prejudice to the certificate of inspection or material receipt note issued by us in respect of the materials.

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 11 of 16

25. 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 NRL, its Administrative Ministry, MOPNG or any other OIL PSUs or EPCM/PMC Consultant for the job 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/ Suspension /Banning List / Negative list of NRL, its Administrative Ministry, MOPNG or any other OIL PSUs or EPCM/PMC Consultant 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.
 - iii) Further, in case of a Consortium/JV, if any of the member(s) of Consortium/JV is on Holiday/ Suspension /Banning List / Negative list of NRL, its Administrative Ministry, MOPNG or any other OIL PSUs or EPCM/PMC Consultant for the job 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 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

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			 thyssenkrupp
				Rev 00 Page 12 of 16

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.
- 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 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

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 13 of 16

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.
- 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

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.

26. 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)/ tkIS-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.
- (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 / tkIS India.
- (e) Bidder cannot make any claim against NRL (Owner) / tkIS-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.

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 14 of 16

- (f) The terms “Pre-Qualification Criteria (PQC)” and “Bidder Qualification Criteria (BQC)” shall have the same meaning in the Bidding Document.
- (g) The terms ‘Sl. No.’, ‘Sr. No.’, ‘Cl. No.’ and ‘Clause No.’ used in this NIT document shall have the same meaning.
- (h) 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).
- (i) 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.
- (j) Offers not meeting statutory requirement are liable for rejection.
- (k) Bidders are advised to regularly visit Announcement section/ Information for DSC/ Bidders Manual Kit/ FAQ of e–Tender Portal.
- (l) Refer ITB of the tender document /E-Tendering methodology for more details.
- (m) 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.
- (n) 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.
- (o) 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.
- (p) If documents (part or full) are found forged, such offers will be summarily rejected and bidder may be debarred from future tenders.
- (q) Successful Bidders shall not use any sub-vendor who is on Holiday List of NRL, its Administrative Ministry, MOPNG or any other OIL PSUs or EPCM/PMC Consultant for the job.
- (r) NRL (OWNER) / tkIS (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.
- (s) Following Government Guidelines / Policies (latest version) shall be considered as part of this Tender and the Applicability of the same is as per below:

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 15 of 16

Sr. No.	POLICY DESCRIPTION	APPLICABILITY
1	Public Procurement Policy for Micro and Small Enterprises (MSEs)	
1A	For service contracts both relaxation of BQC requirements and MSE Price preference shall be applicable.	APPLICABLE
1B	For work contracts, relaxation of BQC requirements and MSE Price preference shall not be applicable	NOT APPLICABLE
1C	For Supply Tenders - Public Procurement Policy for Micro and Small Enterprises (MSEs)	APPLICABLE
2	Purchase preference to Local Content (PPLC Policy)	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
6	Relaxation w.r.t Pre-Qualification Criteria for Start Ups and MSEs	NOT APPLICABLE

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

- (t) 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 (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
- (u) 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/tklS as per the details mentioned at Sr. No. 19 of NIT.

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

Plant NREP	Client NRL	Contract Code NREP-EPCM1	Document ID	Project No. 66-6733
	INTEGRATED ANALYSER SYSTEM FOR NREP			
				Rev 00 Page 16 of 16

<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) / tkIS-India (Consultant) will not be responsible for non-submission of bid within specified time of tender submission due to any website related problems.
- H) **Bidders to ensure submission of Correct File Format in the portal. In case NRL / tkIS India cannot open the bids due to corrupt bid files / formats, the offer shall be rejected.**
- I) Successful bidder upon award of contract shall consider one-day visit of their Project manager / senior Management / Indian representative on their own expenses to tkIS, India Pune / Mumbai office each month after order for progress review meeting. After getting code 2 approval from tkIS 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 tkIS 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.
- J) NRL (Owner) / tkIS-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) / tkIS-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.