INVITATION FOR BIDS (IFB)

FOR

SUPPLY OF VAPOUR RECOVERY UNIT

FOR NRL EXPANSION PROJECT OF NUMALIGARH REFINERY LIMITED

BIDDING DOCUMENT NO.: SM/B302-000-LZ-MR-4070/34

E-TENDER NO: 2023_EIL_732953_1

(DOMESTIC COMPETITIVE BIDDING)

[e-Tendering]

1. INTRODUCTION:

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

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

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

2. BRIEF SCOPE:

2.1 Design, engineering, procurement, assembly, inspection, testing, supply, erection, commissioning and performance guarantee test run of One (1) no. single/multiple skid mounted Activated Carbon Bed Adsorption type Vapour Recovery System for the recovery of Gasoline (MS) vapours, at NRL Siliguri Marketing terminal.

Process Parameter	**Vapour Recovery System (Tag no. 6P25-Z-1121)**
Unit design Capacity (Nm^3/hr)	250 (Hydrocarbon Vapor feed)
Type of Unit	Activated Carbon Adsorption type System
Guaranteed VOC recovery in VRU	> 99.5 % (Minimum) & Residual HC concentration vented to atmosphere after vapor recovery shall be 5 g/m3 (max.) of product loaded.

For complete details, refer bid document.

3. TIME SCHEDULE FOR DELIVERY / COMPLETION:

Supply:

10 Months on FOT Site basis on freight prepaid & door delivery basis from the date of Letter of Acceptance. Date of handing over of Package after completion of Site Work shall be considered as date of delivery.

Site Work:
Within 1 (One) Month from the date of intimation of site readiness. 15 Days advance intimation shall be given for Site Work.

The date of handing over of the equipment after successful completion of Site Work (as per MR) shall be considered as the date of completion of site work.

4. SALIENT DETAILS:

a)	Bidding Document & subsequent Amendment (if any) available on Website for viewing & downloading, **and its fee**		The complete Bidding Document can be viewed and downloaded from CPP Portal having URL **https://eprocure.gov.in/eprocure/app**) Tender details are also available in EIL website http://tenders.eil.co.in **Cost of Bidding Document: NIL**
b)	Bidding Document available on Website	:	From 05.01.2023 to 02.02.2023
c)	Last date of Receipt of Bidder's Queries	:	On 11.01.2023, 1700 Hrs, IST
d)	Date of Pre Bid Meeting	:	at 1100 Hrs. (IST) on 12.01.2023 (*) online through video conferencing (VC) a the following link: **You're invited to join a Microsoft Teams meeting** Title: PRE BID MEETING FOR VAPOUR RECOVERY UNIT Time: Thursday, January 12, 2023 at 11:00:00 AM India Standard Time Join on your computer or mobile app Click here to join the meeting
e)	Last Date and time of Online submission of Bids (Bid Due Date) and Mode of Bid Submission	:	Up to 1200 Hrs. (IST) on 02.02.2023 **Online submission (e-Bids)** through CPP Portal **Bid submitted through any other mode shall not be acceptable.**
f)	Online Opening of Techno-commercial Unpriced Bid	:	1400 Hrs. (IST) on 03.02.2023 (*)
g)	Bid Validity	:	Bid shall be valid for **03 Months from the Bid Due Date** (#). (#) - Final BDD after extensions, if any.

h)	Earnest Money Deposit / Bid Security	:	Bidder to submit Earnest Money Deposit/ Bid Security for an amount of INR 8.38 Lakhs
i)	Date of Opening of Priced Bids	:	Date & time shall be intimated later
j)	Contact details of dealing officer	:	Name : Ms. Sunita Mitra Designation: Sr. GM (SCM) Phone No. & Extn :+91-11-2676 8171 / 3169/ 3504 E-mail : shyamal.biswas@eil.co.in; manoj.kumar.pur@eil.co.in; s.mitra@eil.co.in
k)	Communication address for submission of documents, in hard copy	:	Engineers India Ltd, EI Bhawan, 1, Bhikaji Cama Place, New Delhi – 110066 Ms Sunita Mitra – Sr.GM (SCM) (Job no. B302)

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

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

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

5. BIDDER QUALIFICATION CRITERIA (BQC):

Bidder shall meet the criteria as specified below:

5.1. TECHNICAL QUALIFICATION CRITERIA

5.1.1 The Bidder shall be a supplier of Vapour Recovery System as a single point responsibility vendor (SPRV) for the offered Vapour Recovery System.

5.1.2 Bidder shall have designed, engineered and supplied at least one (1) no. Vapour Recovery System of Activated Carbon Bed Adsorption type for Hydrocarbon service having inlet vapour flow (feed) of minimum 150 Nm^3/hr with an emission level of max. 5 g/m3 VOC in exhaust gas to atmosphere, which shall have been commissioned within the period, not greater than seven (7) years and not less than one (1) year, reckoned from the bid due date ($).

Note : The bidder shall not be on EIL/Owner holiday list during bidding (as on bid due date).

5.1.3 In case the Bidder does not meet the criteria specified in clause no. 5.1.2 above, in terms of design & engineering only, Bidder can still be qualified provided:

a) The Bidder engages a Technical Collaborator for Design & Engineering, who meets the criteria specified in clause no. 5.1.2 above. However, the ultimate responsibility lies with the Bidder.

b) The Bidder shall furnish a MoU for this job with proposed Technical Collaborator along with the Bid. The MoU shall define responsibility scope matrix between the Bidder and proposed Technical Collaborator for the offered Vapour Recovery System. The MoU shall confirm that the proposed Technical Collaborator shall stand guarantee for the performance of the offered Vapour Recovery System. MoU shall be converted into a definitive agreement / contract and shall be valid till the validity of this contract.

Note: This clause shall not dilute any of the responsibility or the obligation of the main Bidder and the overall responsibility shall be with the main Bidder.

5.1.4 The Bidder, who is an Indian subsidiary (Foreign Principal holding at least 51% shares) of the Foreign Principal, can also be considered, if the Bidder meets the requirements of clause no. 5.1.4.1

AND

the qualification criteria, as enumerated in clause no. 5.1.2 above is met either by:

a) Foreign Principal

(OR)

b) Another "51% or above subsidiary" (called "Group Company") of the Foreign Principal

(OR)

c) Foreign Principal's holding Company

5.1.4.1 Qualification Criteria for Indian Subsidiary (hereinafter called the Bidder):

a) The Bidder must be a subsidiary of the Foreign Principal (Principal Holding at least 51% shares) for not less than One (1) year as on bid due date($)

b) As a minimum, the Principal or the Group Company or the Holding company as the case may be, shall carry out the following activities:

- Process Design and Engineering
- Review of all detail design and engineering
- Approval of Sourcing of critical components as recommended by the Principal (OR) the group company (OR) the holding company
- Approval of Quality Assurance Plans (QAP)

c) The Bidder shall furnish along with his bid the MOU (OR Letter of Agreement OR Letter of Consent) with the Foreign Principal (OR) the Group Company (OR) the Holding Company (as applicable), identifying the scope division matrix for the subject work in line with clause no. 5.1.4.1(b) above as a minimum . The bidder and the Principal or the Group Company or the Holding company as the case may be, shall ensure that scope/activity matrix shall delineate according to the experience and capability of the Indian subsidiary via-a-vis the company whose PTR is being considered.

Note: The bidder must also note that NRL/EIL shall reserve the right to mandate certain activity(ies) or sourcing to be from identified sources only, depending upon the criticality of the item under consideration. The bidder shall not claim any extra payment on account of any change in sourcing in line with NRL/EIL's requirement.

d) The bidder, as a single point responsibility vendor or as part of consortium or jointly with principal shall have executed at least one (1) number project involving design, engineering and supply of Vapour Recovery System of Activated Carbon Bed type for Hydrocarbon service, which shall have been commissioned within the period, not greater than seven (7) years and not less than one (1) year, reckoned from the bid due date ($).

5.1.5 For qualification of Vapour Recovery System, "clauses 5.1.1, 5.1.2" (OR) "clauses 5.1.1, 5.1.2 & 5.1.3" (OR) "clauses 5.1.1, 5.1.2 & 5.1.4" shall be read in conjunction.

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

Notes:

1) A job executed by the Bidder for its own plant / projects can't be considered as experience for the purpose of meeting requirement of BQC of the enquiry document. However, jobs executed for Subsidiary / Fellow subsidiary / Holding company will be considered as experience for the purpose of meeting BQC subject to submission of tax paid invoice(s) duly certified by Statutory Auditor of the Bidder towards payments of statutory tax in support of the job executed for Subsidiary / Fellow subsidiary / Holding company. Such Bidders to submit these documents in addition to the documents specified above to meet BQC.

5.2. FINANCIAL QUALIFICATION CRITERIA

5.2.1. **Annual Turnover:** Minimum average annual turnover during three preceding financial years of the bidder as per the audited annual financial results shall be INR 3.53 Crore.

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

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

5.2.3. **Working Capital:** Working Capital of Bidder as per the immediate preceding year's audited annual financial results shall be INR 1.18 Crore.

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

The Line of Credit, shall be for the total value of Working Capital as per the requirement indicated under BQC.

Example:

If the Working Capital requirement is INR 10 Crore. The bidder may meet the required working capital of INR 10 crore in two ways i.e. (a) either by the value of working capital calculated as Current Asset-Current Liability specified in Balance sheet for immediate preceding years Audited Financial Statement. Or (b) submitting a LOC (Line of Credit) of value INR 10 Crore.

Illustration 1:
In case Bidder's Working Capital is calculated as INR 11 Crore and Bidder has submitted LOC from bank for an amount of INR 9 Crore, then Bidder's Working Capital shall be considered as INR 11 Crore.

Illustration 2:
In case Bidder's Working Capital is calculated as INR 9 Crore and Bidder has submitted LOC from bank for an amount of INR 1 Crore, then Bidder's Working Capital will be considered as INR 9 Crore. In this case, Bidder's bid will be rejected as the working capital is less than as required.

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

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

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

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

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

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

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

a) **Net worth calculation:** Net worth means **paid up share capital, Share Application Money pending allotment* and reserves# *less* accumulated losses and deferred expenditure to the extent not written off**. Net worth shall be calculated using the following formula:

Reserves to be considered for the purpose of net worth shall be all **reserves created out of the profits and securities premium account** but shall not include reserves created out of revaluation of assets, write back of depreciation and amalgamation.

***Share Application Money pending allotment will be considered only in respect of share to be allotted.**

Description		Values <in Currency>	Reference (Page no., Clause etc.)
Paid up Share capital (A)	:		
Add: Share Application Money pending allotment (B)	:		
Add: Reserves (As defined above) (C)	:		
Less: Accumulated Losses (D)	:		

Description		Values <in Currency>	Reference (Page no., Clause etc.)
Less: Deferred Revenue Expenditure to the extent not written off (E)	:		
Net Worth (A+B+C-D-E)	:		

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

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

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

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

5.3. DOCUMENTS AND DATA REQUIRED WITH BID

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

5.3.1. **Documents towards Technical Qualification Criteria:**

a) Bidder shall complete and submit Experience Record Proforma (ERP) enclosed with the Bid along with all other documents as listed in 'Instruction to Bidders' of ERP in order to establish that the Bidder meets the Bidder Qualification Criteria as per cl no. 5.1 above.

b) Corporate Guarantee of the Foreign Principal or Group Company in case bidder intends to qualify as per the criteria specified in clause no 5.1.4 above.

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

Bidder shall submit the following documents to substantiate the Financial BQC:

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

Notes towards Financial Documentation:

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

In case by any prevailing circular/notification/guideline GOI has given any extension to defined Auditing period of Annual Financial Statement, this 9 months period will be considered accordingly.

For meeting the Financial Criteria, Bidders shall be required to submit the audited Annual Reports / Financial Statements of the Company as per provision of bidding document, audited and issued till the final bid due date (including extended bid due date).

b) Bidder shall submit Standalone Financial Statements. However, Consolidated Audited Financial Statements are acceptable in following situations:

(i) Bidder is a Parent/Holding Company: Where only consolidated Audited Financial Statements are prepared and audited, which includes the financial details of their wholly owned subsidiaries etc., consolidated audited financial statement shall be considered for establishing the financial criteria subject to Statutory Auditor/ CEO/ CFO/ Company Secretary or any member of the Board of Directors of the Bidder, certifying that standalone Financial Statements of Bidder (without the financial data of subsidiaries, etc.) is not separately prepared and audited.

(ii) Bidder is a Subsidiary Company: In case a Bidder is a Subsidiary Company and separate Financial Statements of the Bidder is not prepared & audited, but only a consolidated audited Financial Statements of their Parent Company/Holding Company are available, consolidated audited Financial Statement shall be considered for establishing the financial criteria subject to Statutory Auditor/ CEO/ CFO/ Company Secretary or any member of the Board of Directors of the Parent/Holding company (whose Audited Financial Statements are submitted for qualification) certifying in their letter head that Financial Statements of Bidder are not separately prepared and audited.

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

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

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

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

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

i. By CEO / CFO / Company Secretary (CS) or any member of the Board of Directors in case of Limited Companies (Private / Public Limited);

CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company can either sign all the pages of the documents or submit a certificate signed by them as per **Annexure-A** to IFB **[Format-A]**, listing out all the BQC documents submitted in the Bid along with basic details, duly referenced.

Or

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

And

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

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

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

5.3.5. **Language of Documents:**

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

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

5.3.6. NRL/EIL shall carryout cross verification of the qualified bidder's credentials submitted in the bid and considered by NRL/EIL for meeting the BQC from the document issuing authority. It shall be responsibility of the bidder to assist NRL/EIL in carrying out this exercise. NRL/EIL shall also reserve the right to communicate directly with certificate issuing authority and / or carrying out a visit to the office / works of the certificate issuing authority. Bidder shall provide complete assistance towards the same. The work shall not be awarded until the case cross verification has completed.

It shall, therefore, be responsibility of the bidder/ contractor to get their BQC documents considered for qualification successfully verified as above. Accordingly, bidder shall ensure that they submit those executed works meeting the qualification criteria for which they can arrange such verification. Failure of cross verification shall entitle NRL/EIL to reject the bid.

6. EARNEST MONEY DEPOSIT (EMD)

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

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

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

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

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

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

6.7. Bidder participating as Trader / Agent etc. shall not be given any benefit as available under PPP-2012.

For further clarification refer ITB.

7. GENERAL

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

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

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

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

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

7.6. In case, any Bidder is found to be involved in cartel formation, their Bid shall not be considered for evaluation/placement of order. Such Bidder shall be put on Holiday / blacklisted / debarred from bidding in future for EIL and appropriate proceeding shall be initiated against the Bidder.

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

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

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

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

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

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

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

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

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

Very truly yours,
For & on Behalf of NRL

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