



NUMALIGARH REFINERY EXPANSION
PROJECT

NOTICE INVITING TENDER



Bidding Document No: 082176C/NRL/T/MB/18

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A. INTRODUCTION

M/s. Technip Energies India Limited (TPIL) as Project Management Consultant (Consultant / MPMC) on behalf of the M/s. Numaligarh Refinery limited (Owner/ NRL) invites Bids for execution of EPCC (Engineering, Procurement, Construction and Commissioning) package comprising of **“LPG MOUNDED BULLETS PACKAGE ALONG WITH PUMPS” (“Project”)** for Numaligarh Refinery Expansion Project being undertaken by the Owner on open domestic tender basis under single stage two-bid system (Part - 1: Techno-Commercial Bid and Part - 2: Price Bid) from competent Bidders with sound technical and financial capabilities fulfilling the Bidder Qualification Criteria as stated elsewhere in this document.

B. BRIEF SCOPE OF WORK

Bidder upon being selected as Successful Bidder shall execute the work on lump sum turnkey basis (LSTK) with single point responsibility. The scope of work includes Consistency Checks, Residual Process Engineering, Detailed Design Engineering including HAZOP/SIL Study & Other Safety Studies as mentioned in Bidding Documents, Project Management, Site enabling jobs, Soil Investigation, and co-ordination for the same with MPMC / OWNER, implementation of QRA study recommendations, total Procurement (including chemicals, consumables & chemicals required for pre-commissioning, trial runs and six months continuous running, special tools and tackles, Pre-Commissioning Spares, Commissioning Spares, Start-up spares & Mandatory spares), Fabrication, Manufacturing, Quality Assurance, Inspection & Expediting, Third Party Inspection, Supplies, Transportation, Insurance, Handling & Storage of all Equipment, Materials, items and other Construction Materials at yard/site, Fabrication, Assembly, Construction, Erection, Installation of all plant machinery including civil, Structural, Mechanical, Piping, Electrical and Instrumentation including tie-ins as per bid documents, Testing, cathodic protection, Insulation, Painting, First fill of chemicals and lubricants, Obtaining all Statutory Approvals from CEA, CIF, PESO, OISD, PNGRB, etc. (except for Environment Clearance), assistance in obtaining other Statutory approvals, Pre-commissioning & Mechanical Completion of Mounded bullet Package along with the pumps, preparation of operating manuals, Start-up, Commissioning and Performance Guarantee Test Runs (PGTR), Training of Owner's O&M personnel, consumables (Chemicals & Lubricants) for 6 (six) months operation, Contract closure activities of the Mounded Bullet Package, Final invoice/billing and handing over of the facilities with Final and “As Built” drawing/documentation, supply of spares with necessary support and services during defect liability period and supply of Chemicals, Catalysts, Tool & Tackles, Consumables, Lubricants, etc. for initial charge and replenishment of any loss of these during Commissioning up to handing over after successful PGTR of the **3 Nos. LPG Mounded Bullets ~ 8 M Dia X 64 M Length along with the pumps** for LPG Marketing Terminal Process Plant for “Numaligarh Refinery Expansion Project” located at Dabidubi Village, Dist. Golaghat, Assam, India

For detailed Scope, refer the relevant sections of the Bidding Documents.



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C. SALIENT FEATURES OF NOTICE INVITING TENDER (NIT)

1.	Tender No.	082176C/NRL/T/MB/18
2.	Type of Bid	Domestic competitive bidding (E-BIDDING) Single stage two-bid system
3.	Name of Work	"LPG MOUNDED BULLETS PACKAGE ALONG WITH PUMPS" for "LPG Marketing Terminal Plant for Numaligarh Refinery Expansion Project" located at Dabidubi Village, Dist. Golaghat, Assam, India
4.	Time Schedule	23 Months (22 Months for Mechanical Completion including Pre-commissioning along with 1 month for Commissioning) from the date of issue of the Letter of Acceptance (LOA). Detailed Completion Schedule/ Time Schedule shall be as per Annexure-II to SCC .
5	Tender download schedule	From 09-Feb-2024 to 28-Mar-2023 (Up to 14.00 Hours) Bidding Documents can be downloaded free of charge from the website http://eprocure.gov.in/eprocure/app (" E-Procurement Portal ") during the above period.
6.	Site Visit and Pre-Bid Meeting	Site Visit at 10:00 hours on 19-Feb-2024 (Refer Bid Datasheet for Site visit details). As per COVID-19 protocols, Bidders are requested to reach the site well in advance before the site visit and follow the local quarantine duration / test, if required, as per procedure. Pre-Bid meeting at 14:30 hrs. on 21-Feb-2024 via online Microsoft Teams (Refer below Link to join the meeting) Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 328 817 970 585 Passcode: Maykm7 Download Teams Join on the web



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		OR Join with a video conferencing device. teams@vc.technipenergies.com Video Conference ID: 123 685 367 3 Alternate VTC instructions Last date for submitting Pre-bid queries: 20-Feb-2024
7.	Submission of Bid	Start Date of Submission of Bid: From 14.00 Hours 25-Mar-2024 Last date of Submission of Bid: Up to 14.00 Hrs. 28-Mar-2024
8.	Opening date for Techno-Commercial Bid and Price Bid	14.30 Hrs. on 29-Mar-2024(*). If date identified as (*) above happens to be a declared holiday in TPIL, Chennai/ NRL, Numaligarh, the next working day shall be considered. Date and time of Priced Bid opening will be communicated only to Techno-commercially acceptable bidders.
9.	Earnest Money Deposit (EMD)	INR. 1,22,50,000/- (INR. One Crore Twenty-Two Lakh and Fifty Thousand only)
10.	Bidder Qualification Criteria (BQC): Intending Bidders shall meet the minimum qualification criteria detailed below to qualify for sub-clause 10.1, 10.2 and 10.3. The Bidders shall have to furnish proof of their qualification credentials and other relevant documents mentioned in the Bidding Document along with the Part-I - Techno-Commercial Bid.	



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10.1	TECHNICAL EXPERIENCE CRITERIA
10.1.1	The Bidder must have successfully completed at least one Contract with single point responsibility involving Design or Residual Design, Detailed Engineering, Supply, Fabrication, Installation and Testing of “LPG / Propylene / Propane/ Butane Mounded Bullet having minimum two numbers of Bullets in single mound. At least one mounded Bullet shall be of minimum 4.8 m dia. with MOC (material of construction) as Carbon Steel or higher metallurgy and of minimum 30 mm thickness” in hydrocarbon Storage facility/ LPG Marketing Terminal/ Marketing Terminal for Petroleum Products/ Hydro-Carbon Sector (Refineries or Petrochemical or “On-Shore Gas and/or Oil Facility” or “Off-shore Gas and/or Oil Facility”)/ Chemical Plant/ Fertilizer Sector (Fertilizer Plant) or Metallurgy Sector (Ferrous) or Power Plants (Coal based/Gas based/Petroleum Fuel based) during last 15 years ending last day of month previous to one in which the original bid due date falls Provided that, above mentioned such executed work(s): (i). shall be for a commercial unit i.e., not a lab plant / pilot plant / demo plant; (ii). must not be a captive unit** **The unit will be considered as Captive unit where Bidder has equal to or more than 50% share capital in the company owning the unit. Note: For the reference works, if the Client/ End User has issued the Steel Plates (free issue material) for the said job, then the Bidder shall be considered acceptable provided the same was mentioned in such Tender (documentary evidence to be provided).
10.1.2	The works as referred in Clause 10.1.1 must have been Commissioned within the during last 15 years ending last day of month previous to one in which the original bid due date falls. The works referred to at 10.1.1 should also have been in operation for at least 1 (one) year after commissioning. Proof of commissioning from Owner/End User shall be submitted by the Intending Bidder along with the Technical Bid. Any one of the following documents is required to be submitted by the Bidder along with the Bid as a supporting document for the operation of the works for at least 1 (one) year after



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commissioning.

- (i). Certificate for operation for 1 (one) year from Client; or
- (ii). Certificate of completion of performance guarantee and test run (PGTR) with completion date at least 1 year prior to the Bid Due Date; or

For reference job of NRL in support of the successful operation of one year, Bidder need not submit any additional certificate. However, the qualification of the reference job order submitted by the Bidder for the tender will be checked internally by NRL based on the information submitted with the Bid.

10.2 FINANCIAL CRITERIA

10.2.1

The **average annual turnover** of the Bidder shall be equal to or more than **INR. 31.30 crores (Indian Rupees Thirty-One Crores and Thirty Lakh Only)** during the 3 (Three) immediately preceding financial years from the date of issue of Bidding Documents.

For fulfilling the Financial Criteria, the Bidders shall submit its audited balance sheet and profit and loss account.

Published Annual Report available in the public domain shall also be acceptable.

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

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.



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10.2.2

Bidder shall have positive net worth for the immediately preceding financial year as per the latest audited report.

To establish the positive net worth, Bidder shall furnish the latest audited financial statement including auditors reports, audited balance sheet, profit and loss account, notes, annexure (if any) etc.

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:

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.

Accordingly, the definition of net-worth shall be as follows:

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)		

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, the 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



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

Example, in case, audited annual report of immediate preceding Financial Year (year ending 31 March) is not available and where bid closing date is up to 31 December, the financial details of the previous year immediately prior to the last financial year may be submitted. However, in case the Bid Due Date is after 31 December, it is compulsory to submit the financial details of the immediate preceding financial year only.

Any of the following documents furnished by the Bidder in support of above clause shall be acceptable:

- (a) audited published annual report; or
- (b) audited balance sheet and profit and loss statement; or
- (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.

For Indian Bidders, 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.

The failure to meet average annual turnover criteria as per Clause 10.2.1 above and net worth criteria as per Clause 10.2.2 above will render the Bid to be summarily rejected.



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10.3	COMMERCIAL EXPERIENCE CRITERIA
10.3.1	The bidder should have past experience of having successfully completed **Similar Works during last 15 (Fifteen) years ending last day of month previous to one in which the original bid due date falls; should be either of the following: (a) 1 (one) “Similar” successfully completed contract valuing not less than the amount equal to INR 100 crores/- (Indian Rupees One Hundred Crores only). OR (b) 2 (two) “Similar” successfully completed contracts each valuing not less than the amount equal to INR 80 crores (Indian Rupees Eighty Crores only). OR (c) 3 (three) “Similar” successfully completed contracts each valuing not less than the amount equal to INR 60 crores (Indian Rupees Sixty Crores only). Date of mechanical completion/ Completion will be considered as completion date and that should fall within the qualifying period. In case Mechanical completion certificate is not available, Commissioning date shall be considered. The above values of completed contract(s) shall be exclusive of GST /Service Tax. “Similar” nature of job shall have the meaning as set out in Clause 10.3.2 below
10.3.2	The Bidder shall have completed / Mechanically Completed a contract on LSTK/ EPCC/ EPC/ Item Rate/composite/ Works Contract basis for Mounded Storage Bullets or hydrocarbon Storage facility or LPG Marketing Terminal or Marketing Terminal for Petroleum Products or Hydro-Carbon Sector (Refineries or Petrochemical or “On-Shore Gas and/or Oil Facility” or “Off-shore Gas and/or Oil Facility”) or Chemical Plant or Fertilizer Sector (Fertilizer Plant) or Metallurgy Sector (Ferrous) or Power Plants (Coal based/Gas based/Petroleum Fuel based) during last 15 (Fifteen) years ending last day of month previous to one in which the original bid due date falls:



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Provided that, such executed works:

- (a) shall be for a commercial unit i.e., not a lab plant / pilot plant / demo plant.
- (b) must be new process unit only.

Date of mechanical completion/ Completion will be considered as completion date and that should fall within the qualifying period. In case Mechanical completion certificate is not available, Commissioning date shall be considered.

The Reference Unit must not be a captive unit***

***The unit will be considered as captive unit where Bidder has equal to or more than 50% share capital in the company owning the unit.

Note: If any Bidder has completed balance of Plant Works of LPG Marketing Terminal involving LPG Gantry, LPG Bottling Plant, other offsite utilities required for such works of LPG Marketing terminal in the same job, still the Bidder shall be considered acceptable.

10.4

DOCUMENTATION

The Bidder shall, in its own interest, furnish complete documentary evidence, as under, to justify that the Bidder meets the Bidder Qualification Criteria.

Bidders are required to submit complete documents pertaining to BQC along with their offer. Failure to meet the BQC will render the bid to be summarily rejected. The Owner reserves the right to complete the evaluation based on the details furnished by the bidder, with or without seeking any additional supporting documents /clarifications.

10.4.1

For Technical and Commercial experience criteria:

- (a) For technical experience criteria, The Bidder shall furnish documentary proof in the form of copy of work order(s) / contract agreement(s)/ relevant pages of contract document(s) mentioning the value and the scope of work along with completion certificate(s) issued by owner/ consultant or any other certificate issued by owner/ consultant certifying that work is commissioned, fulfilling the technical experience criteria for themselves.

Important Note: For Supporting documents for Design and Engineering of Mound for Mounded Bullets, Bidder to submit approved drawings/ documents related to Mound/s for Mounded Bullets in the name of Bidder.



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- (b) For commercial experience criteria, The Bidder shall furnish documentary proof in the form of copy of work order(s) / contract agreement(s)/ relevant pages of contract document(s) mentioning the value and the scope of work along with completion certificate(s) or any other certificate issued by owner/ consultant certifying that work is mechanically completed/completed, fulfilling the commercial experience criteria, as applicable. In case Mechanical completion certificate is not available, Commissioning date shall be considered.

- (c) The Value of past experience shall be adjusted at a simple rate of 7% for every completed year and / or part thereof ending last day of the month previous to one in which the original bid due date falls.

For calculation of period of escalation of Commercial experience Criteria for such Similar Works", starting date shall be reckoned from the date of mechanical completion/completion of the work.

- (d) In case of Bidder submitting documents for Commercial experience criteria for their work executed for private establishments (other than PSUs), work order copy along with either: (a) tax deduction at source (TDS) certificate in Form 26AS (Annual Tax Statement under Section 203AA of the Income Tax Act, 1961) or (b) bank certificate indicating receipt of payment from the owner, shall be required to furnish.

- (e) For past executed work under LSTK/EPC/EPCC basis under commercial exp. criteria: Date of mechanical completion/ Completion will be considered as completion date and that should fall within the qualifying period. In case Mechanical Completion Certificate is not available, Commissioning date shall be considered. In case executed value is not mentioned in the mechanical completion/ Completion Certificate, work order value with amendments (if any), shall be considered for determining the value for Commercial Experience Criteria of BQC (i.e. 1 similar job / 2 similar jobs/3 similar jobs) mentioned above.

For past executed work under item Rate/Composite/ Works Contract basis under commercial exp. criteria: Final Executed Value mentioned in the job completion certificate shall be considered for determining the value for Commercial Experience Criteria of BQC (i.e. 1 similar job / 2 similar jobs/3 similar jobs) mentioned above. Provisional Job Completion Certificate or Job Completion Certificate issued against incomplete / in-progress job will not be acceptable. Where the final executed value of relevant similar work is not mentioned in the completion certificate, the copy of certified bills shall also be acceptable for determining the executed value if submitted along with completion certificate.



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At all times, it will be the responsibility of the Bidder to submit the necessary documentary evidence for qualification under BQC criteria as mentioned above along with Bid.

- (f) Executed value mentioned in the completion certificate should be exclusive of Service Tax/ GST. In case the value of job submitted by the Bidder does not have clarity with regard to inclusion/ exclusion of Service Tax/GST, the amount appearing in the certificate shall be considered exclusive of Service Tax/GST and shall be evaluated accordingly.
- (g) In case of Bidder's experience in composite works, in the event the qualifying requirement cannot be ascertained from the work order/ completion certificate submitted by Bidder, Copy of Schedule of Rates (SOR), relevant pages of Contracts, copy of relevant pages of final bill certified by owner for establishing requirement of BQC or written letter from their owner specifying the nature of work with quantities and executed values can be submitted for qualification.
- (h) If the Bidder cites any reference of a job executed for Owner or executed for some client through Consultant and the Bidder is not able to furnish documentary evidence, the internal records of Owner or Consultant (as the case may be) shall be considered.
- (i) A job completed by a Bidder as a sub-contractor shall be considered for the purpose of meeting the Technical Criteria and Commercial Criteria under this NIT subject to submission of following documents in support of meeting the "Bidder Qualification Criteria":
 - 1. Copy of work order along with SOR issued by main contractor.
 - 2. Copies of completion/commissioning certificates (as the case may be) issued by the owner/ owner's consultant/main contractor. The said certificates shall have details like work order no. /date, brief scope of work, ordered & executed value of the job, completion date etc. In case Bidder is not able to furnish the completion certificates from the owner/owner's consultant in its name then the certificate issued in the name of main contractor shall also be considered as proof of completion of the relevant job subject to countersigning of the completion certificate by owner/consultant.
 - 3. If the Bidder cites any reference of a job executed for the Owner or executed for some client through the Consultant and the Bidder is not able to furnish documentary evidence, the internal records of the Owner or Consultant (as the



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case may be) shall be considered. The sub-contractor shall furnish either (a) TDS Certificate in Form 26AS (Annual Tax Statement under Section 203AA of the Income Tax Act, 1961) or (b) Bank Certificate indicating receipt of payment from the Main Contractor.

- (j) A job executed by a Bidder for its own plant/ projects can't be considered as experience for the purpose of meeting requirement of BQC of the Bidding Document. However, jobs executed by the Bidder for its subsidiary/ Affiliate/ Holding/ Parent 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 along with remittance proof in support of the such executed job. Such Bidders shall submit these documents over and above the other required documents under the various Clauses of BQC.
- (k) For Indian Bidders, order value(s) in foreign currencies (other than INR) shall be converted to equivalent INR at the exchange rate of Reserve Bank of India (RBI) as on the date of award of such proposed qualifying work(s).
- (l) Bidder(s) are required to submit complete documents pertaining to BQC along with their Bid. However, the Owner / Consultant may give opportunity to the Bidder(s) to submit missing details or clarifications within the stipulated time. In case, these are not submitted within the stipulated time by the Bidder, offer of the Bidder will be evaluated based on available details/ information. The same shall be considered, if found adequate or else shall be rejected.
- (m) Notwithstanding any other condition/ provision in the Bidding Documents, the Bidders are required to submit complete documents pertaining to BQC along with their Bid. Failure to meet the BQC will render the Bid to be summarily rejected. the Owner reserves the right to complete the evaluation based on the details furnished by the Bidder, with or without seeking any additional supporting documents /clarifications.
- (n) The Bidders must submit complete and unambiguous documents pertaining to Bidder Qualification Criteria (BQC) in the first instance itself along with the offer. The Consultant / the Owner 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 Bid and Incase of non-submission of some documents or



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submission of incomplete or ambiguous documents, the Bid may be rejected and not evaluated. However, the Owner reserves the right to make any further queries.

- (o) Bidder shall not be allowed to submit new references or document related such new references with respect their past experience unless it is not mentioned in the list (past experience) submitted along with the Bid.
- (p) In case where the Bidder cites the reasons of non-disclosure agreement (NDA) for its inability to submit documents in support of meeting the Bidder Qualification Criteria, the Bidder shall be required to provide the following:
 - i. a certified true copy of the NDA;
 - ii. all necessary documents which are excluded from the purview of the NDA, particularly the Work Order, Schedule of Rates, Mechanical Completion Certificate, Completion Certificate, One Year Completion Certificate and any other document that is necessary for meeting the Bidder Qualification Criteria as the case may be;
 - iii. a certificate, certifying all the required information, issued by CEO/ CFO of such Bidder along with a declaration that the Bidder is not in a position to submit the required documents owing to the NDA duly notarized and 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) shall be accepted.
- (q) Consultant/Owner reserves the right to reject the bid and not evaluate the bid any further in case the Bidder is unable to satisfy the Consultant/Owner that it meets the Bidder Qualification Criteria and other such qualifying conditions of the Bidding Document.



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For Financial Criteria:

(a) For fulfilling the **Financial Criteria**, annual audited financial statements (Balance Sheet, Profit and Loss Account, Auditor Report and all other Schedules / notes to Balance sheet and Profit & Loss Account) of the Bidder shall be considered as acceptable proof.

(b) In case the Financial Year closing date is **within 9 months of Bid Due Date** and audited annual report of immediately preceding financial year is not available, the 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 immediately preceding Financial Year (year ending 31 March) is not available and where bid closing date is up to 31 December, the financial details of the previous year immediately prior to the last financial year may be submitted. However, in case the Bid Due Date is after 31 December, it is compulsory to submit the financial details of the immediate preceding financial year only.

Any of the following documents furnished by the Bidder in support of above clause shall be acceptable:

- (1) audited published annual report; or
- (2) audited balance sheet and profit and loss statement; or
- (3) 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.

(c) For Indian Bidders, 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.

(d) In connection with the submission of various documents against the Financial Criteria, the Bidder shall, inter alia, specifically refer to the **Sl. No. 10.2** of BQC also.

If a Bidder does not submit the aforementioned financial statements for three specified years, then Average Annual Turnover will be calculated based on financial figures of only

10.4.2



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	those specified years for which requisite financial statements are submitted. Turnover will be considered '0' (Zero) for the year(s) for which requisite financial statements are not submitted. (e) In case a Bidder (a parent company) is having wholly owned subsidiaries but only a single consolidated annual report is prepared and audited which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the Bidder certifying that separate annual report of such Bidder (without the financial data of subsidiaries) is not prepared and audited. Further, in case Bidder is a subsidiary company and separate annual report of the Bidder is not prepared and audited, but only a consolidated annual report of the its parent company is available, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the parent company certifying that separate annual report of such Bidder is not prepared and audited.	
11	Submission of authentic documents is the prime responsibility of the Bidder. Wherever the Owner has concern or apprehension regarding the authenticity/ correctness of any document, the Owner reserves the right to get the documents verified from issuing authority/any relevant source. If documents (part or full) are found forged, such offers will be summarily rejected and Bidder shall be put on Holiday List; 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.	
12	Mode of Submission.	Bid must be uploaded on E-Procurement Portal http://eprocure.gov.in/eprocure/app before the last date & time of submission of Tender (Bid Due Date). Bids submitted using any other mode will not be accepted.
13	OTHER REQUIREMENTS	
13.1	Independent ESI (Employees State Insurance) Code or undertaking for independent ESI code in the Format given in attachment to ITB (Attachment-XXXII to ITB)	



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	NOTES:	
a)	Indian Bidders who would like to quote directly shall have Indian ESI registration in their own name and submit copy of the same registration certificate along with the Bid.	
b)	If ESI Registration is not available during the Bidding Process as mentioned above, necessary undertaking shall be given by the Bidder as per the provisions of Bidding Documents that once the Project is awarded, the Successful Bidder shall arrange for the ESI Registration as per the statutory requirements.	
13.2	Copy of PAN card	
13.3	Certificate of Incorporation / Memorandum of understanding (MOU)	
13.4	PF (PROVIDENT FUND) REGISTRATION Indian Bidders who would like to quote directly shall have Indian PF registration in their own name and shall submit copy of the PF registration certificate along with the Bid.	
14	Bidder shall be required to submit the power of attorney in the name of its authorized signatory who is submitting the Bid with its digital signature certificate and signature. Also, Power of Attorney of the person who has signed the Bid (if a different person) shall be submitted.	
15	Integrity Pact Agreement	Applicable
16	Reverse Auction	Not Applicable
17	Tender cost / Fee	Nil
18	Split of Work	Not applicable
19	Language	English
20	Validity of Bids	The Bid submitted by the Bidder shall remain valid for 4 (four) months from the Bid Due Date / Revised offer (if applicable as permitted by the Owner). On account of exigencies if Bidders are requested by the Owner/ Consultant to extend their Bid validity, the same should be without any



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		deviation including no change in the prices. However, in such cases, the Bidders would be allowed to withdraw their Bid if so desired by the Bidder. If a Bidder still deviates or changes price, its Bid shall be rejected and not considered for evaluation.
21	Tender Inviting Authority	Technip Energies India Limited 19, Velachery Main Road Chennai – 600 032 Tamilnadu, India

D. EARNEST MONEY DEPOSIT (EMD)

- i. Earnest Money Deposit (EMD)/ Bid Security shall be submitted in the following forms by the bidder:

Indian bidder shall submit EMD through **Online through HDFC bank portal** (Refer Attachment-I to NIT) or in the form of Bank Guarantee (BG) in favour of “Numaligarh Refinery Ltd.” (as per the format attached with the Bid Document), issued by a Scheduled Bank in India.

The currency of EMD for Indian Bidders shall be in INR. Indian bidder shall 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. Also, Indian bidders submitting the EMD in the form of Bank Guarantee (BG) shall submit original BG in a sealed envelope to the address mentioned as per the Bidding Documents (Refer Bid Data sheet for complete address) so as to receive within 10 days from Bid Due Date failing which bid shall not be considered for evaluation.

- ii. EMD exemption shall be applicable for Micro or Small Enterprises registered with Udyam. 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.
- iii. There will be no waiver of EMD for Public Sector Undertakings of Central/ State Governments.
- iv. The BG for EMD shall remain valid for a period not less than Bid validity plus 3 months, with a claim period of minimum another 3 months.
- v. EMD/Bid securities shall be released to the bidders in the following circumstances:
- a) EMD of Bidders whose price bids are not opened/ disqualified during techno- commercial bid evaluation (unsuccessful Bidder) shall be released immediately by the Owner/ Consultant within 30 days of declaration of result of techno- commercial bid evaluation.



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- b) EMD 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.
- c) EMD BG of the Successful Bidder shall be sent to NRL and shall be released by NRL on receipt of acceptable **PBG (Performance Bank Guarantee) against Security Deposit.**
- d) In case Owner 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.

E. FORFEITURE OF EMD

EMD shall be forfeited and the Bidder shall be put on “Holiday/ Suspension/ Banning List” in case, either of following circumstances:

- a) In case 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; or
- b) If the Bidder impair or derogates from the Tender during the Validity period of Bid; or
- c) The successful bidder fails or refuse to furnish the Contract Performance security, or to execute the order, in accordance with the provisions of tender document; or
- d) If the successful bidder fails to accept arithmetical corrections; or
- e) If the information / documents submitted by the bidder in the bid is found to be false/ forged; or
- f) The successful bidder is not ready to sign/accept the Work Order / Contract or giving any conditional acceptance of Work Order /Contract; or
- g) If the Bidder is found to be indulged in corrupt/ fraudulent/ collusive/ coercive practice as per procedure.

F. GENERAL

Bidder to note the following before bidding:

1. Bids from following types of Bidders will not be accepted

- a) Not used.
- b) Not used.
- c) Not used.
- d) Consultant or their subsidiary company or companies under the management of same Consultant, are not eligible to quote for the same job for which they are working as Consultant, with the exception of participation as TPIA for the same job.



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- e) 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.
 - f) 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.
 - g) Bidder(s) who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code).
 - h) 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.
2. Bidding Documents:
- a) The subject tender is an e-tender and can be downloaded from the E-Procurement Portal available at <http://eprocure.gov.in/eprocure/app>. The Bidders who are not enrolled/registered in E-Procurement Portal should enroll/register before participating. Bidders are advised to go through instructions provided as '**Instructions for online Bid Submission**' provided at Appendix A to NIT.
 - b) Bidders can access Bidding Documents from the E-Procurement Portal, fill all relevant information and submit the completed Bidding Documents into electronic tender on the E-Procurement Portal.
 - c) Bids including supporting documents should be uploaded through E-Procurement Portal only by Bidders. Hard copy of the Bidding Documents will not be accepted.
 - d) **Corrigendum/addendum/extension (if any) pertaining to this tender will be published at the E-Procurement Portal only.** No separate notification shall be issued in the press. Bidders are therefore requested to regularly visit our website to keep themselves updated. Failure of Bidder to submit tender without taking cognizance of Corrigendum / Amendment (if any) issued by the Owner shall make bid liable for rejection.
 - e) Both Techno-Commercial Bid and Price Bid are to be submitted concurrently, duly digitally signed at the E-Procurement Portal.
 - f) The Bidding Documents will not be issued in person or sent by post. Mere obtaining Bidding Documents through E-Procurement Portal shall, however, not be construed that the Bidder is considered qualified.
 - g) The Owner does not take any responsibility for the correctness of Bidding Documents obtained from any other source. Bidders are advised to visit above mentioned website before submitting their Bids for official version of the Bidding Documents including any corrigendum / amendment if any, which shall be binding on the Bidder.



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3. Purchase Preference to MSE will not be applicable for this tender. There will be no relaxation in BQC criteria to MSE and Startups in this Tender.
4. Bidder shall download the Bidding Documents in its own name and submit the Bid directly in accordance with the provisions of the Bidding Documents. 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 and not considered for evaluation. Please note that the person having Power of Attorney to do bidding process on behalf of the Bidder shall only submit/upload the Bidding Document using their own DSC.
5. As far as possible Bidders are requested to clarify all the queries related to tender before the Bid opening and ensure compliance of all provisions of the Bidding Documents.
6. The Bidder is expected prior to the submission of its Bid, as a prudent and experienced contractor to make its own assessment of all the requirements of the Work comprising in the Project in accordance with the Bidding Documents and of the accuracy, correctness and completeness of any estimate, data, or information furnished by the Owner in the Bidding Documents and of the availability, suitability, propriety, adequacy and/or soundness of any suggestion made by the Owner in the Bidding Documents as hereinabove referred to.
7. All documents submitted by the Bidder towards meeting BQC shall be furnished in a separate booklet titled as "Documentation against Bidder Qualification Criteria" with proper indexing.
8. All documents uploaded as part of Bid submitted (Except BQC Documents) must be either digitally or physically signed by the "authorized signatory" of the Bidder holding Power of Attorney.
9. Submission of authentic documents is the prime responsibility of the bidder. Wherever the Owner/ Consultant has concern or apprehension regarding the authenticity/ correctness of any document, the Owner reserves the right to get the documents verified from issuing authority/any relevant source. If documents (part or full) are found forged, such offers will be summarily rejected, Bidder shall be put on Holiday List; Orders, if any, placed against subject tender will be terminated and may be debarred from future tenders. For the purpose of verification of documents, bidders shall submit complete client details with names, address, phone number, e-mail ID etc.
10. The Owner/ Consultant reserves the right to carry out capacity and capability assessment of the Bidder using in-house information and past performance.
11. Relevant supporting documents towards other requirements specified are also to be uploaded along with Bid, failing which the Bid is liable for rejection.
12. The Owner reserves the right to reject any or all of the Bids or any parts of the Bids so received and



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may cancel the Bidding Process in part or full, extend the Bid Due Date without assigning any reason.

13. In case any Bidder is found to be involved in cartel formation, his Bid will not be considered for evaluation / placement of order. Such Bidder will also be debarred from bidding in future.
14. Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.
15. The Bidding Process shall be governed by, and construed in accordance with, the laws of India and the Courts at Golaghat, Assam shall have exclusive jurisdiction over all disputes arising under, pursuant to and/ or in connection with the Bidding Process.
16. During the tendering stage all communication will be made through E-Procurement Portal. However, post submission of Bids all communications / clarifications shall be sought outside the E-Procurement Portal.
17. Bidder cannot make any claim against the Owner towards its expense incurred in connection with the preparation and delivery of their Bids, participating in the discussion and other expenses incurred during Bidding Process.
18. Offers not meeting statutory requirement are liable for rejection.
19. Owner reserves its right to allow Public Sector Enterprises (Central/State), purchase preference as admissible/applicable from time to time under the existing Govt. Policy.
20. Owner shall also follow the Public Procurement Policy on Procurement of Goods and services from Micro and Small Enterprises (MSEs) Order 2012.
21. In case of a MSE bidder, documentary evidence as per the prevailing Government policy shall be acceptable. In addition duly authenticated document in this regard shall be submitted. However, in case authenticated document is not submitted in original, the same can be accepted provided a valid MSE certification is available on Government portal (www.nsicspronline.com) or Government Udyog Aadhar portal.
22. For detailed specifications, terms and conditions and other details, refer complete Bidding Documents.
23. A Memorandum of understanding has been signed by the Owner for adoption of **Integrity Pact** in major Tenders.
Bidder shall submit the **Integrity Pact /Agreement** in the prescribed **Formats (enclosed in the Bid Document)** duly signed along with the Bid.



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24. Fax/ e-mail bids shall not be accepted.
25. The terms “Pre-Qualification Criteria (PQC)” and “Bidder Qualification Criteria (BQC)” shall have the same meaning in the Bidding Document.
26. The terms ‘Sl. No.’, ‘Sr. No.’, ‘Cl. No.’ and ‘Clause No.’ used in this NIT document shall have the same meaning.
27. Bidder to quote the NIT/Bidding Doc. no. in all Correspondences.
- ~~28.~~ Clarification, if any, can be obtained from MPMC/~~OWNER~~.
29. The Bidder is also expected prior to finalization of its/his/their bid to visit and examine the job site and its surroundings and to familiarize itself/himself/themselves of the ground realities, the availability, existence and suitability of facilities and sources of supply required for the work(s) and the environmental conditions which can be encountered, and collect all data and other information which the bidder may require for preparation and formulation of its/his/their Bid. The Contractor will not to be entitled to make any claim against the Owner or to raise any objection or defense to any claim based on the ignorance of existing or expected conditions, or on the lack of adequate information, or of any plan, estimate or expectation based on a different perception or expectation or information.
30. The Bidders shall be deemed before tendering to have undertaken a thorough study of the proposed work, the job site(s) involved, the site conditions, soil conditions, the terrain, the climatic conditions, the labour, power, material, and equipment availability, transport and communications facilities, the availability and suitability of borrow areas, the availability of land for right of way and temporary office and accommodations, quarters, and all other facts and facilities necessary or relevant for the formulation of the Bid, supply of materials and the performance of work
31. Unsolicited clarifications to the Bidding Documents and / or change in the prices during the validity period would render the Bid liable for rejection.
32. Bidder should make sure that their Price Bid (Part-II/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 Price Bid (Part-II/BOQ).
33. After opening of the Techno-Commercial 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 of Owner/Consultant after the issue of the Bidding Documents.
34. Class 1 local bidder shall be given purchase preference as per the existing Govt. PPLC policy.



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35. Consortium or JV is not allowed in the Bid.
36. Bidders shall comply land border restriction circulars and submit undertaking in this regard specified as **Attachment to ITB.**
37. Notwithstanding any other condition/ provision in the Bidding Documents, Bidders are required to submit complete documents pertaining to BQC along with their offer. Failure to meet the BQC will render the bid to be summarily rejected. the Owner reserves the right to complete the evaluation based on the details furnished by the bidder, with or without seeking any additional supporting documents /clarifications
38. Post evaluation of the Bids, the Letter of Acceptance (LOA) will be issued by the Owner to the Successful Bidder.
39. The Owner, in its sole discretion and without incurring any obligation or liability, reserves the right, at any time, to:
 - (a) suspend and/ or cancel the Bidding Process and/ or amend the Bidding Process;
 - (b) supplement the Bidding Process or modify the dates or other terms and conditions relating thereto;
 - (c) consult with any Bidder in order to receive clarification or further information;
 - (d) retain any information and/ or evidence submitted to Owner by, on behalf of, and/ or in relation to any Bidder; and/ or
 - (e) independently verify, disqualify, reject and/ or accept any and all submissions or other information and/ or evidence submitted by or on behalf of any Bidder.
40. Notwithstanding anything stated elsewhere in the Bidding Documents, following shall supersede relevant ITB provisions and other relevant provisions to the extent as stated below:

An undertaking shall be submitted by the Bidder along with Bid that they are not on Holiday/ Negative/ Suspension/ Banning List or Blacklisted by NRL or MOPNG on due date of submission of Bid. If any Bidder/ an agency is placed on Holiday/ Negative/ Suspension/ Banning List of or Blacklisted by the NRL/ MOPNG, they will not be considered for evaluation, at any stage prior to placement of order. If any bidder is qualified based on the credential of his parent/ associate/ affiliate etc. and the parent/ associate/ affiliate is under the Holiday/ Negative/ Suspension/ Banning List of or blacklisted by NRL/ MOPNG, the offer from the bidder shall also not be considered for evaluation, at any stage prior to placement of order. Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL. Bidder to refer Holiday Listing Policy which shall be applicable herein.