



**NUMALIGARH REFINERY EXPANSION
PROJECT**



NOTICE INVITING TENDER

Bidding Document No : 082176C/NRL/T/TANKS/02

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A. INTRODUCTION

M/s. TECHNIP INDIA LIMITED (TPIL) as CONSULTANT on behalf of OWNER M/s. NUMALIGARH REFINERY LIMITED (NRL) invite e-Bids for execution of Job of **“STORAGE TANKS PACKAGE PHASE-1 (16 NOS. TANKS)” for Numaligarh Refinery Expansion Project** at NRL Numaligarh Refinery on Open Domestic Tender basis under Single Stage Two-Bid system (Part-1: Techno-Commercial Part and Part -2: Price Part) from competent Bidders with sound Technical and Financial capabilities fulfilling the Qualification Criteria as stated elsewhere in this document.

B. BRIEF SCOPE OF WORK

The Scope of Work includes Residual Design and Engineering including incorporation of HAZOP/SIL & Other Safety Studies recommendations as mentioned in Bidding Documents, Project Management, Site enabling jobs and co-ordination for the same with Owner/MPMC, Total Procurement (including supply of all items except Free issue materials, equipment and construction material, first fill of lubricants, consumables, special Tools and Tackles, Commissioning 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, Tank Foundation Works & other Civil works, Fabrication, Assembly, Construction, Erection, Installation of all plant machinery including civil, Structural, Mechanical, Piping, Electrical, Instrumentation, Fire Protection system, Cathodic Protection System, Tie-ins, Inspection & Testing, Hydrotesting, Calibration, Insulation, Painting, Obtaining all Statutory Approvals (except for Environment Clearance) & Mechanical Completion of Plant, Preparation of plant specific operating manuals, Training of Owner's O&M personnel, supply and handing over of mandatory spares, Contract closure activities of Storage Tanks and interconnection systems as per Bid Documents, 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. Bidder shall execute the complete Scope of Work with single point responsibility basis.

Civil & Structural works includes design and engineering, soil improvement, material supply, construction of tank foundation (stone column including stone Blanket layers) and other miscellaneous works required as per the bidding document.

For detailed scope, refer the relevant sections of the Bidding Document.



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C. SALIENT FEATURES OF NOTICE INVITING TENDER (NIT)

1.	Tender No.	082176C/NRL/T/TANKS/02
2.	Type of Bid	Open Tender – DOMESTIC COMPETITIVE BIDDING (E-BIDDING) Single Stage Two-Bid system
3.	Name of Work	STORAGE TANKS PACKAGE PHASE-1 (16 NOS. TANKS) FOR “NUMALIGARH REFINERY EXPANSION PROJECT” AT NRL NUMALIGARH REFINERY AT NUMALIGARH, ASSAM, INDIA
4.	Time Schedule ^{^1}	24 Months for Mechanical Completion from the date of issue of LOA (Letter of Acceptance). Detailed Completion Schedule shall be as per Annexure- II to SCC.
5.	Tender download schedule	From 23-Feb-2021 to 05-Apr-2021 (Up to 14.00 Hours) Tender documents can be downloaded free of charge from the website http://eprocure.gov.in/eprocure/app during the above period.
6.	Site Visit and Pre-Bid Meeting	Site Visit at 10:00 hrs. on 05-Mar-2021 (Refer Bid Datasheet for Site visit details). As per Covid protocol, Bidders to reach site before site visit and follow the local quarantine duration /test as per procedure. Pre-Bid Meeting at 14:30 Hrs. on 11-Mar-2021 via. Video Conferencing (Preferably Microsoft Teams) Last date for submitting Pre-bid queries: 09-Mar-2021
7.	Submission of Bid/Tender	Start Date of Submission of Bid/Tender: From 14.00 Hours 29-Mar-2021 Last date of Submission of Bid/Tender: Up to 14.00 Hrs. on 05-Apr-2021
8.	Techno-commercial Tender opening date	14.30 Hrs. on 06-Apr-2021 (*). If date identified as (*) above happen 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.



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9.	Earnest Money Deposit (EMD)	EMD is not applicable for this Tender. The Bidder is required to submit "Bid security declaration" in lieu of EMD along with the Unpriced Offer which is attached to ITB.
10.	Bidder Qualification Criteria (BQC): Intending Bidders shall meet the minimum qualification criteria detailed below to qualify. 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).	
10.1	TECHNICAL CRITERIA	
10.1.1	10.1.1.1 The bidder must have completed work involving Design and Engineering, Supply, Fabrication, Erection/ Installation, Testing, Mechanical Completion of the following:- "One floating (internal or external) roof hydrocarbon storage tank of not less than 30 m nominal diameter within the last 15 years ending on last day of the month immediately previous to the month in which last date of bid submission falls and should have been in satisfactory operation for at least 1 (one) year after commissioning." 10.1.1.2 The bidder also must have completed work related to Foundation and Civil Works either under One fixed or fixed cum floating roof hydrocarbon storage tank of not less than 25 m nominal diameter or One floating (internal or external) roof hydrocarbon storage tank of not less than 30 m nominal diameter within the last 15 years ending on last day of the month immediately previous to the month in which last date of bid submission falls and should have been in satisfactory operation for at least 1 (one) year after commissioning. For the reference works, in case the bidder has used services of Engineering Sub-Contractor(s) for Design and Engineering, the same shall be considered acceptable and bidder has to declare details of such arrangement along with the bid (documentary evidence to be provided). For the reference works, if the Client/ End User has issued the MS 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). Pilot/Demo, Revamp, Replacement and its associated facilities of the above works will NOT be considered as qualifying experience.	



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10.1.2

The Works as referred at 10.1.1.1 and 10.1.1.2 above must have been commissioned within the last 15 years ending on last day of the month immediately previous to the month in which last date of bid submission falls (in case of extended bid submission date, original bid submission date shall be considered).

The Works referred at 10.1.1.1 and 10.1.1.2 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.

However, for operation for at least 1 (one) year after commissioning any one of the following document is required to be submitted by the bidder along with the Bid.

- Certificate for Operation for 1 year from client; OR
- Certificate of Release of full Security Deposit (Bank Guarantee) by Client against the defect liability period; OR
- Certificate of Completion of Performance Guarantee and Test run (PGTR) with completion date at least 1 year prior to bid submission; OR
- Certification by CEO/CFO with due notarization that Defect Liability Period is completed and there is no claim by client on account of performance of the Plant/Equipment.

Note: For reference job of NRL in support of 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.

10.1.3

In case the bidder, on his own, meets all the criteria as per clause 10.1.1 except Design and Detailed Engineering, bidder shall be considered acceptable, provided the bidder submits an MOU with an Engineering sub-contractor who meets the criteria of having completed work(s) involving :

Design and Engineering of at-least One floating (internal/ external) roof hydrocarbon storage tanks of not less than 30 m nominal diameter within the last 15 years ending on last day of the month immediately previous to the month in which last date of bid submission falls.

At the time of bidding, the Bidder shall furnish Memorandum of Understanding (MoU) with the Engineering Sub-contractor for scope as per sub-clause 10.4.1 (I). The MoU shall be valid for at least 04 (Four) years or till the Defect Liability Period whichever is later, from the date of scheduled bid submission. The engineering sub-contractor shall not be changed during execution of job without prior approval of Owner/Consultant.

The successful Bidder shall place their personnel (to be approved by Owner/ Consultant later) at the design center office of the Engineering sub-contractor to control, monitor and approve the



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	Engineering design work/ deliverables of the Engineering sub-contractor prior to issuance for review/ approval by Owner/ Consultant.
10.2	FINANCIAL CRITERIA
10.2.1	The Average Annual Turnover of the Bidder shall be equal to or more than INR. 36,94,38,000.00 during preceding 3 (Three) Financial Years. For fulfilling the Financial criteria (ATO) an audited balance sheet and profit & loss account of the Bidder shall be considered as acceptable proof. Published Annual Report available in the public domain shall also be acceptable. 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.
10.2.2	<u>Bidder shall have Positive Net Worth for the immediate preceding financial year as per the latest Audited Report.</u> To establish the Positive Net Worth, Bidder shall furnish the latest Audited Financial Statement including Auditors reports, Audited Balance Sheet, Profit & Loss Account, Notes, Annexure (if any) etc. If the bidder's Net worth is negative, the bidder should furnish a letter towards "financial support for executing orders in case of order placement on them" from any scheduled bank in India or a commercial bank having net worth not less than INR 100 Crore. 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:



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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)		

For **10.2.1 above**, in case the Financial Year closing date is **within 9 months of bid due date** and Audited Annual Report of immediate preceding financial year is not available, bidder has the option to submit the financial details of the previous year immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate preceding financial years.

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

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 & 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.

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 Annual Turnover (ATO) criteria as per clause 10.2.1 & Net Worth Criteria as per clause 10.2.2 mentioned above will render the bid to be summarily rejected.



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10.2.3	Working Capital: The Bidder must have a minimum Working Capital of amount equivalent to INR. 12,31,46,000.00 as per immediate proceeding financial year Audited Annual Report. Working Capital shall be Current Assets minus Current Liabilities. 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.
10.3	COMMERCIAL EXPERIENCE CRITERIA
10.3.1	For experience, the bidder, as a main or as a sub-contractor should have executed/completed at least one or two or three contract(s) involving similar nature work with minimum value(s) as indicated below during the last 10 (Ten) years ending on last day of the month immediately previous to the month in which last date of bid submission falls (in case of extended bid submission date, original bid submission date shall be considered): ➤ One "Similar" successfully completed contract valuing not less than the amount equal to INR . 123,14,61,000/- OR ➤ Two "Similar" successfully completed contracts each valuing not less than the amount equal to INR. 98,51,69,000/- OR ➤ Three "Similar" successfully completed contracts each valuing not less than the amount equal to INR. 73,88,77,000/- Date of Mechanical Completion will be considered as completion date and that should fall within the qualifying period. The above values of completed contract(s) shall be exclusive of GST /Service Tax. "Similar" nature of job is as defined at Sr. no. 10.3.2
10.3.2	Similar Works involving "Execution of Storage Tanks works for hydrocarbon service in Petroleum Refinery/Crude Oil or Product Storage facility / Petrochemical Complex/Fertilizer complex."
10.4	DOCUMENTATION
	The bidder shall, in his own interest, furnish complete documentary evidence, as under, to justify that the bidder meets the Qualification Criteria as given above.



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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. 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.

For Technical and Commercial experience criteria:

10.4.1

- a) The Bidder shall furnish documentary proof in form of the copy of work order(s) including SOR mentioning the value (s) / contract agreement(s)/ relevant pages of contract document(s) and the scope of work along with completion certificate(s) issued by owner/ consultant indicating executed value and certificate(s) of commissioning of previous plants from owner/ Consultant, fulfilling the qualification criteria for themselves as well as their proposed Engineering Sub-Contractor, as applicable.
- b) For Commercial experience criteria, the value of past experience shall be adjusted at a simple rate of 07% for every completed year and thereafter at @ 0.58% for every completed month ending last day of the month proceeding the month in which last date of original bid submission 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 of the work mentioned in the Completion Certificate.
- c) 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) 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.
- d) In case any other document is submitted by bidder in support of execution for Commercial experience criteria, the same shall be subject to acceptance by the OWNER or its representative.
- e) In case, the executed value of job is more than work order value and bidder claims for meeting the BQC requirement on the basis of executed value then it is the responsibility of the bidder to submit the documentary evidence of final executed value (such as copy of final bill, executed value mentioned in completion certificate etc.) along with his bid.
In case executed value is not mentioned in the completion certificate issued by the client, work order value with amendments, if any, shall be considered for the purpose of evaluation.
- f) In case, the executed value of job is more than work order value and bidder claims that they are meeting the BQC requirement on the basis of executed value, then it is



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the responsibility of the bidder to submit the documentary evidence of final executed value (such as copy of Final Bill, executed value mentioned in Completion Certificate etc.) along with his bid.

- g) In case Executed Value is not mentioned in the Completion Certificate, Work Order value with amendments, if any, shall be considered towards BQC requirements. Where the executed value is not mentioned in the Completion Certificate, the copy of certified Bill shall also be acceptable for determining the Executed Value if submitted along with Completion Certificate.
- h) 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.
- i) 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.
- j) 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.
- k) A job completed by a bidder as a Sub-Contractor shall be considered for the purpose of meeting the technical and commercial experience criteria of BQC subject to submission of following documents in support of meeting the "Bidder Qualification Criteria":
 - 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 his name then the Certificate issued in the name of Main



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Contractor shall also be considered as proof of completion of the relevant job.

3. If the bidder cites any reference of a job executed for NRL or executed for some client through MPMC and the bidder is not able to furnish documentary evidence, the internal records of NRL or MPMC (as the 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.
- l) Bidder shall submit with the Bid, the Memorandum of Understanding (MOU) between Bidder and Engineering Sub-Contractor (as applicable) in connection with executing the Design & Detailed engineering, engineering for procurement, Preparation/Approval of MR of Critical equipment and Package items as defined in tender elsewhere, HAZOP/ SIL studies, Technical & Construction Audit, Pre-commissioning/Commissioning and PGTR etc. as applicable. The MOU shall be binding on the bidder and not to be changed thereafter without prior approval of Owner/Consultant and shall remain in force at least till the pendency of the Contract including Defect Liability Period.
 - m) 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 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. Such bidders shall submit these documents over and above the other required documents under the various Clauses of BQC.
 - n) For Indian Bidders, Order value(s) in multiple currencies shall be converted to equivalent INR at the exchange rate of SBI bill selling rate as on the date of award of such proposed qualifying work(s). Similarly for Foreign Bidders, Order value(s), in multiple currencies shall be converted at the exchange rate of SBI bill selling rate to equivalent USD as on date of award of such proposed qualifying work(s).
 - o) Bidder (s) are required to submit complete documents pertaining to BQC along with their offer. However, NRL / Consultant may give opportunity to the bidders to submit missing details or clarifications within the stipulated time. In case, these are not submitted within the stipulated time by the bidders, 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.



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- p) Notwithstanding any other condition/ provision in the tender 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. 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.
- q) The bidders must submit complete and unambiguous documents pertaining to BQC in the first instance itself along with the offer. Consultant / NRL may not offer any opportunity to the bidder to provide complete or unambiguous documents and reserve the right to proceed on the basis of documents received along with the offer and Incase of non-submission of some documents or submission of incomplete or ambiguous documents, the bid may be rejected. However, NRL reserves the right to make any further queries.
- r) 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.
- s) In case where the Bidder cites the reasons of Non-Disclosure Agreement 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 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) shall be accepted.

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 without endorsement may be accepted provided evidence of the local regulation restricting this endorsement is given in the CEO / CFO certificate.

For Financial Criteria:

10.4.2

- 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 connection with the submission of various documents against Financial Criteria, the Bidder shall specifically refer to the **Sl. No. 10.2** of BQC also.
- c) 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



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	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 bidder (without the financial data of subsidiaries) is not prepared and audited. Further, in case a bidder is a subsidiary company and separate annual report of the bidder is not prepared & audited, but only a consolidated annual report of the 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 bidder is not prepared and audited.	
11	Submission of authentic documents is the prime responsibility of the bidder. Wherever NRL has concern or apprehension regarding the authenticity/ correctness of any document, NRL 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, EMD will be forfeited, 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.	Offer must be uploaded on e-tender website http://eprocure.gov.in/eprocure/app before the last date & time of submission of tender. Offer submitted using an other mode will not be accepted.
13	OTHER REQUIREMENTS	
13.1	The bidders should furnish copy of Permanent Account Number, PF Number, Certificate of Incorporation/Partnership deed/ Proprietorship affidavit, GSTIN and place of registration, ESI Registration Code and any other statutory requirement, wherever required, at the time of submitting their bid.	
13.2	Bidder shall be required to submit the Power of Attorney in the name of authorized signatory who is submitting the bid with his Digital Signature Certificate & Signature. Also, Power of Attorney of the Person who has signed the bid (if a different person) shall be submitted.	
14	Tender Inviting Authority	Mrs. Selvapriya Kannabiran, Project Manager(EPCM) Technip India Limited 19, Velachery Main Road Chennai – 600 032 Tamilnadu, India
15	Integrity Pact Agreement	Applicable
16	Reverse Auction	Not Applicable
17	Tender cost / Fee	Nil
18	Split of Work	Not applicable for this Tender



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18	Language	English
19	Validity of Bids	The offer of the Bidder shall remain valid for 04 (Four) months from the last date of submission of Tender / Revised offer (if applicable as permitted by the Owner). On account of exigencies if bidders are asked to extend their validity, the same should be without any deviation including change in the prices. However, the bidders would be allowed to withdraw the tender. If a bidder still deviates or changes price, its offer would likely to be rejected.

D. EARNEST MONEY DEPOSIT (EMD)

- i. EMD is not applicable for this Tender. The Bidder is required to submit "Bid security declaration" in lieu of EMD along with the Unpriced Offer which is attached to ITB. Bids not accompanied with "Bid security declaration" in lieu of EMD shall be liable for rejection.
- ii. Exemption of submission of "Bid security declaration" will 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 Bid Opening. Scanned copy of Registration certificate should be uploaded in the e-procurement website under e- bidding. Documentary evidence in support of such claims of bidder shall be provided. Consideration of MSME bidders shall be as per prevailing MSE guidelines only.
- iii. All other clauses mentioned elsewhere in the Tender Document related to submission of EMD shall stand cancelled.

E. NOTE

The Bidder shall be put on "Holiday/ Suspension/ Banning List" in case of breach of his obligation(s), 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 accept Work Order / Contract or giving any conditional acceptance of Work Order /Contract; or



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- 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. Offers from following types of bidders will not be accepted

- a) Who are in the Holiday/ Suspension /Banning List / Negative list of NRL or its Administrative Ministry, MOPNG or any other OIL PSUs or MPMC on due date of submission of bid / during the process of evaluation of the bid.
- b) Similarly, if a bidder is qualified based on engaging a sub-contractor who meets stipulated qualification criteria and in case such a sub-contractor is on Holiday List/ Negative List/ Suspension List/ Banning List of NRL or its Administrative Ministry, MOPNG or any other OIL PSUs on due date of submission of bid / during the process of evaluation of the bids, the offer of such a bidder shall not be considered for bid opening/evaluation/Award.
- c) 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.
- d) 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.
- e) Bidder(s) who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code).
- f) 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. Tender Document:

- a) The subject tender is an e-tender & can be downloaded from Central Public Procurement Portal <http://eprocure.gov.in/eprocure/app>. Aspiring Bidders/ Suppliers who have not enrolled/registered in e-procurement should enroll/register before participating, through the website <http://eprocure.gov.in/eprocure/app>. Bidders are advised to go through instructions provided as '**Instructions for online Bid Submission**' provided at Appendix A to Notice Inviting Tender.
- b) Bidders can access tender documents from the website, fill them with all relevant information and submit the completed tender document into electronic tender on the website <http://eprocure.gov.in/eprocure/app>.
- c) Tenders and supporting documents should be uploaded through e-procurement portal only. Hard copy of the tender documents will not be accepted.



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- d) **Corrigendum/addendum/extension (if any) pertaining to this tender will be published in the website 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 NRL shall make bid liable for rejection.
- e) Both Technical bid and Financial bid are to be submitted concurrently, duly digitally signed in the web site <http://eprocure.gov.in/eprocure/app>.
- f) The tender document will not be issued in person or sent by post. Mere obtaining tender document through web-portal shall, however, not be construed that the bidder/agency is considered qualified.
- g) 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.
3. Offer from Joint Bidders / Consortium will not be acceptable.
4. Purchase Preference to MSME will not applicable for this Tender. There will be no relaxation in BQC criteria to MSME and Startups in this Tender.
5. 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 the person having Power of Attorney to do bidding process on behalf of the bidder shall only submit/upload the bid document using their own DSC.
6. 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 document.
7. The bidder is expected prior to the submission of its/his/their bid, as a prudent and experienced Contractor to make its/his/their own assessment of all the requirements of the work and of the accuracy, correctness and completeness of any estimate, data, or information furnished by the OWNER in the Tender Documents and of the availability, suitability, propriety, adequacy and/or soundness of any suggestion made by the OWNER in the Tender Documents as hereinabove referred to.
8. All documents furnished by the bidder in support of meeting the Bidder's Qualification Criteria (BQC) shall be **self-certified**.
- 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.
9. All documents uploaded as part of Bid submitted (Except BQC Documents) must be either digitally



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or physically signed by the "authorized signatory" of the Bidder holding Power of Attorney.

10. Submission of authentic documents is the prime responsibility of the bidder. Wherever NRL has concern or apprehension regarding the authenticity/ correctness of any document, NRL 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, EMD will be forfeited, 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.
11. NRL/MPMC reserves the right to carry out capacity & capability assessment of the bidder using in-house information and past performance.
12. Relevant supporting documents towards other requirements specified are also to be uploaded along with bid failing which bid is liable for rejection.
13. NRL 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.
14. 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.
15. Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.
16. Legal dispute, if any, shall only be within the jurisdiction of Golaghat Court unless mentioned otherwise.
17. During the tendering stage all communication will be made through e-Tendering site. However, post submission of bids all communications / clarifications shall be sought outside the e-tendering portal.
18. Bidder cannot make any claim against NRL 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.
19. Offers not meeting statutory requirement are liable for rejection.
20. 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.
21. Owner shall also follow the Public Procurement Policy on Procurement of Goods and services from Micro and Small Enterprises (MSEs) Order 2012.
22. 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



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Udyog Aadhar portal.

23. For detailed specifications, terms and conditions and other details, refer complete Bidding Document.
24. A Memorandum of understanding has been signed by NRL 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.
25. Fax/ e-mail bids shall not be accepted.
26. The terms “Pre-qualification Criteria (PQC)” and “Bidder Qualification Criteria (BQC)” shall have the same meaning in the Bidding Document.
27. The terms ‘Sl.No.’, ‘Sr.No.’, ‘Cl.No.’ and ‘Clause No.’ used in this NIT document shall have the same meaning.
28. Bidder to quote the NIT/Bidding Doc. no. in all Correspondences.
29. Clarification, if any, can be obtained from MPMC / OWNER.
30. 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 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.
31. The tenderer 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
32. Unsolicited clarifications to the offer and / or change in the prices during the validity period would render the bid liable for rejection.
33. Techno-commercial part of the Bids shall be opened at 14:30 Hrs. (IST) on the due date. Time and date of opening of Price Bids shall be notified through e portal to the qualified and acceptable bidders at a later date. Bidders may view the Bid opening through e- Tendering portal: <http://eprocure.gov.in/eprocure/app>.
34. Bidders shall quote their most competitive rates. Negotiations will not be conducted with the bidders as a matter of routine. However, Owner reserves the right to conduct negotiations.



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35. 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 Priced Bid (Part-II/BOQ).
36. 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 of Owner/Consultant after the issue of the tender enquiry
37. Class 1 local bidder shall be given purchase preference as per the existing Govt. PPLC policy.
38. **The offer of the Bidder shall remain valid for 04 (Four) months from the last date of submission of Tender / Revised offer (if applicable as permitted by the Owner).** On account of exigencies if bidders are asked to extend their validity the same should be without any deviation including change in the prices. However, the bidders would be allowed to withdraw the tender. If a bidder still deviates or changes price, its offer would likely to be rejected.
39. Bidders from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority in line with requirements specified by Government of India. Broad Guidelines in this regard is specified as **Attachment to ITB**. The bidder shall complete the registration process before last date of bid submission and submit documentary evidence in this regard, failing which their bids will be rejected.
40. Notwithstanding any other condition/ provision in the Tender 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. 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
41. Fax of Acceptance (FOA)/ Letter of Acceptance (LOA) will be issued by the OWNER to the successful BIDDER.