



# **NUMALIGARH REFINERY LIMITED**

## **NRL EXPANSION PROJECT OF NUMALIGARH REFINERY LIMITED**

**(BIDDING DOCUMENT NO. SM/B302-000-MK-T-9509/1019)**

**E-TENDER NO: 2022\_EIL\_700191\_1**

### **BIDDING DOCUMENT FOR PIPELINE LAYING AND SV/IP STATION WORKS FOR JALESWAR TO SONAPUR HAT SECTION**

#### **COMMERCIAL SECTION**

**Prepared by:**

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(भारत सरकार का उपक्रम)



**ENGINEERS  
INDIA LIMITED**  
(A Govt. of India Undertaking)



**PIPELINE LAYING AND SV/IP STATION WORKS FOR JALESWAR TO SONAPUR  
HAT SECTION  
BIDDING DOCUMENT NO: SM/B302-000-MK-T-9509/1019**



**MASTER INDEX**

**NAME OF WORK : PIPELINE LAYING AND SV/IP STATION WORKS FOR NRL EXPANSION  
PROJECT OF NUMALIGARH REFINERY LIMITED**

**BIDDING DOCUMENT NO. : SM/B302-000-MK-T-9509/1019**

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**NOTICE INVITING TENDER (NIT)  
FOR  
PIPELINE LAYING AND SV/IP STATION WORKS  
FOR NUMALIGARH REFINERY EXPANSION PROJECT OF  
M/s NUMALIGARH REFINERY LIMITED  
BIDDING DOC. NO.: SM/B302-000-MK-T-9509/1019  
(DOMESTIC COMPETITIVE BIDDING)  
E-Tender No 2022\_EIL\_700191\_1**

**1.0 INTRODUCTION**

M/s Numaligarh Refinery Limited (NRL) is a Government of India Enterprise and a subsidiary of M/s Oil India Limited. M/s NRL operates a 3.0 MMTPA Refinery at Numaligarh in the District of Golaghat, Assam since the year 2000. NRL is now in the process of executing a major expansion project of capacity augmentation from present 3.0 MMTPA to 9.0 MMTPA. The required additional quantity of crude oil is planned to be imported through Paradip Port in Odisha. A cross country pipeline of around 1634 km shall be laid from Paradip Port to Numaligarh for transporting 8 MMTPA of imported crude oil.

- 2.0** The complete work of pipeline from Jaleswar to Sonapur Hat section of Paradip to Numaligarh pipeline has been divided into four (4) nos parts i.e. Part-A, Part-B, Part-C & Part-D. The scope of work for each part has been indicated in scope drawing no. B302-000-83-41-30012 and as described below:

**PART – A**

Part-A covers approx. 141.676 km long 26" OD pipeline and associated facilities from Ch. 210.709 km (Odisha-West Bengal border near Jaleswar) to Ch. 352.385 km (near Kotulpur). This part includes works at various intermediate facilities such as four (4) nos sectionalizing valve (SV) stations as detailed subsequently.

**PART – B**

Part-B covers approx. 141.689 km long 26" OD pipeline and associated facilities from Ch. 352.385 km (near Kotulpur) to Ch. 494.074 km (West Bengal-Jharkhand border). This part includes works at various intermediate facilities such as eight (8) nos sectionalizing valve (SV) stations as detailed subsequently.

**PART – C**

Part-C covers approx. 142.254 km long 26" OD pipeline and associated facilities from Ch. 494.074 km (West Bengal-Jharkhand border) to Ch. 636.328 km (Jharkhand-Bihar border). This part includes works at various intermediate facilities such as two (2 nos.) sectionalizing valve (SV) stations and one (1) no intermediate pigging station as detailed subsequently.

**PART – D**

Part-D covers approx. 199.594 km long 26" OD pipeline and associated facilities from Ch. 636.328 km (Jharkhand-Bihar border) to Ch. 835.892 km (Bihar-West Bengal border near



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Sonapur Hat). This part includes works at various intermediate facilities such as eight (8) nos sectionalizing valve (SV) stations as detailed subsequently.

For details refer Technical Part of Bidding Document.

**3.0 COMPLETION PERIOD :**

Mechanical Completion and making the system ready for Pre-commissioning (for each part individually) within 18 Months from the date of issue of Letter of Acceptance plus 02 Months for assistance for Pre Commissioning and Commissioning.

**4.0 SALIENT DETAILS:**

|    |                                                                                                                     |   |                                                                                                                                                                                                                                                                                                                                              |
|----|---------------------------------------------------------------------------------------------------------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | Bidding Document & subsequent Amendment (if any) available on Website for viewing & downloading, <b>and its fee</b> | : | The complete Bidding Document can be viewed and downloaded from CPP Portal having URL<br><a href="https://eprocure.gov.in/eprocure/app">https://eprocure.gov.in/eprocure/app</a><br>Tender details are also available in EIL website <a href="http://tenders.eil.co.in">http://tenders.eil.co.in</a><br><b>Cost of Bidding Document: NIL</b> |
| b) | Bidding Document available on Website                                                                               | : | From <b>14.07.2022 to 11.08.2022, up to 12.00 pm</b> )                                                                                                                                                                                                                                                                                       |
| c) | Last date of Receipt of Bidder's Queries                                                                            | : | On <b>25.07.2022</b>                                                                                                                                                                                                                                                                                                                         |
| d) | Date of Pre Bid Meeting                                                                                             | : | at 1100 Hrs. (IST) on 28.07.2022 (*) through online video conferencing (VC) at the following link:<br><b>You're invited to join a Microsoft Teams meeting:</b><br>Join on your computer or mobile app<br><a href="#">Click here to join the meeting</a>                                                                                      |
| e) | Last Date and time of Online submission of Bids (Bid Due Date) and Mode of Bid Submission                           | : | Up to 1200 Hrs. (IST) <b>on 11.08.2022</b><br><b>Online submission (e-Bids)</b> through CPP Portal<br><b>Bid submitted through any other mode shall not be acceptable.</b>                                                                                                                                                                   |
| f) | Online Opening of Techno-commercial Un-priced Bid                                                                   | : | 1400 Hrs. (IST) on <b>12.08.2022 (*)</b>                                                                                                                                                                                                                                                                                                     |
| g) | Bid Validity                                                                                                        | : | Bid shall be valid for <b>04 Months from the Bid Due Date (BDD) (#)</b> .<br>(#) - Final BDD after extensions, if any                                                                                                                                                                                                                        |



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|    |                                                                 |                                                                                                                                                                                                                                                                                                                                                        |
|----|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| h) | Earnest Money Deposit / Bid Security                            | : EMD not applicable. Bidder need to submit Declaration for Bid Security as per Annexure-C                                                                                                                                                                                                                                                             |
| i) | Date of Opening of Priced Bids                                  | : Date & time shall be intimated later                                                                                                                                                                                                                                                                                                                 |
| j) | Reverse Auction and Date of conducting Reverse Auction          | : Not Applicable                                                                                                                                                                                                                                                                                                                                       |
| k) | Contact details of dealing officer                              | : Name : Ms. Sunita Mitra<br>Designation: Sr. GM (SCM)<br>Phone No. & Extn : +91-11-2676 8171 / 3504<br>Mobile: 9871239448<br>E-mail : <a href="mailto:shyamal.biswas@eil.co.in">shyamal.biswas@eil.co.in</a> ;<br><a href="mailto:manoj.kumar.pur@eil.co.in">manoj.kumar.pur@eil.co.in</a> ; <a href="mailto:s.mitra@eil.co.in">s.mitra@eil.co.in</a> |
| l) | Communication address for submission of documents, in hard copy | : Engineers India Ltd,<br>EI Bhawan,<br>1, Bhikaji Cama Place,<br>New Delhi – 110066<br>Ms Sunita Mitra – Sr.GM (SCM)                                                                                                                                                                                                                                  |
| m) | Site Visit                                                      | : <b>Date: 20.07.2022 to 22.07.2022</b><br>Contact Details:<br>Contact person: Mr. V. Abhilash, Sr. Manager<br>Email id : <a href="mailto:v.abhilash@eil.co.in">v.abhilash@eil.co.in</a><br>Phone - 9343968512                                                                                                                                         |

\*If the dates indicated at Sl. No. 4.0 (d) & (f) happens to be a declared holiday in EIL/NRL, the next working day shall be considered.

The complete Bidding Document is available on Central Public Procurement Portal (CPPP) website: <http://eprocure.gov.in/eprocure>. Link of the same is also available on EIL website: <http://tenders.eil.co.in>. Bidders can view / download the document from any one of the websites mentioned above.

All amendments, time extension, clarifications, etc. will be uploaded in the websites only and will not be published in Newspapers. Bidders should regularly visit the above website(s) to keep themselves updated.

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

## 5.0 **BIDDER QUALIFICATION CRITERIA (BQC):**

An entity will be allowed to bid either as a sole bidder or as part of a consortium in this tender.

Bidder (a sole bidder or a consortium) may quote for 1 (one) or more parts, however maximum two parts shall be awarded to any Bidder on overall least cost basis.

Bidder shall meet the criteria as specified below:

### 5.1 **Experience Criteria (Technical):**



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**5.1.1 Sole Bidder:**

The Bidder should have completed at least one contract in last 10 (Ten) years ending last date of month previous to one in which bids are invited, involving laying/ installation, testing of cross country hydro carbon pipeline of diameter and length given below –

| Part No | Minimum Size<br>(diameter) | Minimum Single<br>Stretch | Minimum length in one<br>contract (#) |
|---------|----------------------------|---------------------------|---------------------------------------|
| (1)     | (2)                        | (3)                       | (4)                                   |
| Part A  | 18 Inch                    | 43 Km                     | 43 Km                                 |
| Part B  | 18 Inch                    | 43 Km                     | 43 Km                                 |
| Part C  | 18 Inch                    | 43 Km                     | 43 Km                                 |
| Part D  | 18 Inch                    | 50 Km                     | 60 Km                                 |

(#) In case more than one contract(s) are awarded under one Tender, these Contracts shall be considered as single contract for evaluation of credentials of a Bidder for meeting their experience criteria.

Criteria mentioned in Column (3) can be either met in the same Contract as qualified for Column (4) or from different Contracts.

**5.1.2 In case a Bidder intends to get qualified for more than 1 (one) part, Bidder shall meet the following criteria (Refer clause no 5.4 below) :**

**5.1.2.1 Minimum length for Experience Criteria and Minimum diameter:** Length shall be on cumulative basis for combination of any two parts among the quoted parts as mentioned in column (4) of table in clause no 5.1.1 above of minimum diameter 18 inch (457.2 mm) in the same contract.

**Example:**

If a Bidder quoted for more than 1 (One) part, the Minimum length for Experience Criteria shall be as following -

- i. Combination of 2 Parts including Part D: 103 Km
- ii. Combination of 2 Parts excluding Part D: 86 Km

**5.1.2.2 Minimum Single stretch length Experience Criteria:** Minimum diameter 18 inch (457.2 mm) of following length-

- a. Combination of 2 Parts including / excluding Part D: 50 Km

**5.1.2.3** Criteria mentioned at clause no 5.1.2.2 can be either met in the same Contract as qualified for clause 5.1.2.1 or from different Contracts.

**5.1.3 Eligibility criteria in case bid is submitted on the basis of technical experience of foreign based another company (Supporting Company) which holds more than fifty percent of the paid-up share capital of the bidder company or vice versa:**

Offers of those bidders (not under consortium arrangement) who themselves do not meet the technical experience criteria as stipulated in the BQC and are quoting based on the experience of Foreign based another company (Supporting Company) can also be considered. In such case the Supporting Company should hold more than fifty percent of the paid-up share capital of the bidding company or vice versa.



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Credential of Supporting agency from a country which shares a land border with India will only be considered if they are registered with the Competent Authority as on bid due date, specified in Annexure I of Order (Public Procurement No. 1) dated 23.07.2020 [Enclosed as Annexure 3 to ITB] of Department of Expenditure.

However, the Supporting Company should on its own meet the Experience Criteria (Technical) as stipulated in the BQC and should not rely on any other company or through any other arrangement like Technical collaboration agreement.

In that case as the bidding company is dependent upon the technical experience of another company with a view to ensure commitment and involvement of the companies involved for successful execution of the contract, the participating bidder should enclose the following Agreements/ Guarantees/ Undertakings along with the techno-commercial bid:

- i) **Bidder should have completed a Cross Country Pipeline Project involving laying/ installation, testing of cross country hydro carbon pipeline during last 10 years ending last date of month previous to one in which bids are invited.**
- ii) An Agreement (as per format enclosed at Appendix- A1) between the bidder and the supporting company.
- iii) Guarantee (as per format enclosed at Appendix- A2) by the supporting company to NRL for fulfilling the obligation under the Agreement.
- iv) Registration of Supporting Company with competent Authority as on bid due date, specified in Annexure I of Order (Public Procurement No 1) dated 23.07.2020 of Department of Expenditure.
- v) Undertaking by Supporting Company to provide a Performance Bank Guarantee (as per format and instructions enclosed at Appendix- A3), equivalent to 50% of the value of the PBG which is to be submitted by the bidding company, in case of being the successful bidder. However, where foreign based Supporting Company does not have Permanent Establishment in India as per Indian Income Tax Act, the bidding company can furnish Performance Bank Guarantee for an amount which is sum of PBG amount to be submitted by the bidder and additional PBG amount required to be submitted by the Supporting Company subject to the condition that Supporting Company have 100% paid up equity share capital of the bidder either directly or through intermediate subsidiaries or vice versa.

In such case bidding company shall furnish an undertaking that their foreign based Supporting Company is not having any Permanent Establishment in India in terms of Income Tax Act of India.

In case Supporting Company fails to submit Bank Guarantee as per above, Security Deposit submitted by the bidder shall be forfeited and action shall be taken against the bidder as per declaration for bid security.

- vi) Undertaking from the Supporting Company to the effect that in addition to invoking the PBG submitted by the bidding company, the PBG provided by Supporting Company shall be invoked by NRL due to non-performance of the bidding company.



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- vii) Undertaking that the Company is not put on black listing / holiday listing by MOPNG and other OIL PSUs. Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL / EIL.

**5.1.4 Experience Criteria (Technical) for Consortium bid (including an unincorporated JV):**

- 5.1.4.1 The "Bidder" in this provision may be a group of Entities (one referred to as a "Leader" and other is "Member") coming together as "Consortium" to implement the Project, wherein numbers of consortium members shall be maximum 2 (Two) including the Leader. The "Member" shall authorize the Lead Member (Leader) of the Consortium with the Authority to bind the consortium, through a Power of Attorney as per prescribed format enclosed as Appendix-I to the "Leader".
- 5.1.4.2 Both "Leader" and "Member" should have been incorporated under the provisions of the Companies Act 1956 / Companies Act 2013 in India for at least last 2 (two) Years ending last date of month previous to one in which bids are invited.
- 5.1.4.3 The "Leader" shall meet the Criteria on their own as per clause no 5.1.1 mentioned above.
- 5.1.4.4 The "Member" shall meet the Criteria on their own mentioned below:

The "Member" should have completed at least one contract in last 10 (Ten) years ending last date of month previous to one in which bids are invited, involving laying/ installation, testing of cross country hydro carbon pipeline of diameter and length given below –

| Part No | Minimum Size<br>(diameter) | Minimum Single<br>Stretch | Minimum length in one<br>contract (#) |
|---------|----------------------------|---------------------------|---------------------------------------|
| (1)     | (2)                        | (3)                       | (4)                                   |
| Part A  | 12 Inch                    | 21.5 Km                   | 21.5 Km                               |
| Part B  | 12 Inch                    | 21.5 Km                   | 21.5 Km                               |
| Part C  | 12 Inch                    | 21.5 Km                   | 21.5 Km                               |
| Part D  | 12 Inch                    | 25 Km                     | 30 Km                                 |

(#) In case more than one contract(s) are awarded under one Tender, these Contracts shall be considered as single contract for evaluation of credentials of a Bidder for meeting their experience criteria.

Criteria mentioned in Column (3) can be either met in the same Contract as qualified for Column (4) or from different Contracts.

**5.1.4.5 In case a "Consortium" intends to get qualified for more than 1 (one) part, the "Leader" and "Member" shall meet the following criteria (Refer clause no 5.4 below):**

- i. **Minimum length for Experience Criteria and Minimum diameter:** Length to be on cumulative basis for combination of two parts among the quoted parts as mentioned in column (4) of table in clause no 5.1.1 for "Leader" and the minimum diameter shall be 18 inch (457.2 mm) in the same contract.

For "Member" Length shall be on cumulative basis of two parts among the quoted parts as mentioned in column (4) of table in clause no 5.1.4.4 above. The minimum diameter shall be 12 inch (323.8 mm) in the same contract.

**Example:**



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Example for Leader's experience shall be as per clause no 5.1.2.1 above.

For "Member" of Consortium, the Minimum length for Experience Criteria shall be as following -

- a) Combination of 2 Parts including Part D: 51.5 Km
- b) Combination of 2 Parts excluding Part D: 43 Km
- ii. **Minimum Single stretch length Experience Criteria:** 50 km of minimum diameter 18 inch (457.2 mm) for "Leader" and for "Member" minimum diameter 12 inch (323.8 mm) of following length -
  - a) Combination of 2 Parts including / excluding Part D: 25 Km
- iii. Criteria mentioned at clause no (i) and (ii) above can be either met in the same Contract or from different Contracts.

5.1.4.6 The Consortium shall be required to comply the following additional requirements:

- i) Bid must contain the information required for each Member of the Consortium including a brief description of the roles and responsibilities of individual Member, particularly with reference to financial, technical obligations as set out in the Bidding Documents;

The division in scope of work between Consortium member and the leader shall commensurate with their past experience. The overall Project Management shall be performed by the leader. The leader and the member of Consortium shall assume joint and several responsibilities. They shall submit Consortium Agreement along with the Bid clearly defining the scope and the distribution of work between the "Leader" and the "Member".

During the Techno-Commercial Evaluation NRL/EIL may, at its sole discretion, suggest any change in the division of scope of works based on the PTR submitted by "Leader" and "Member". Accordingly, the Bidder shall submit the revised Consortium Agreement including division of scope of works without any extra financial implication. The consortium agreement once agreed by NRL/EIL at the evaluation stage shall not be allowed to be changed. In case, Bidder fails to submit revised Consortium Agreement, their bid shall be summarily rejected.

The bidder, bidding as a consortium is required to submit the consortium agreement duly executed along with the bid. However, in case the Consortium member (s) are not able to submit it along with the bid, they shall furnish a duly signed MOU between the proposed consortium members which shall be on the lines of consortium agreement and must specify the split of scope of work between the members along with identification of the leader as well as acceptance of joint & several responsibility. Upon award of job, the bidder shall furnish the duly executed consortium agreement within 15 days of award or signing of Contract whichever is earlier.

The Consortium Agreement shall be valid till the pendency of the contract, i.e. till the expiry of Defect Liability Period.

- ii) No consortium member shall hold less than 25% stake in the consortium.
- iii) Any member of the Consortium shall not be permitted to participate either in an individual capacity as a sole bidder or as a member of another Consortium for the same part or parts.
- iv) In case of Consortium Bidding, provisions of clause 5.1.3 above shall not be applicable.



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**5.1.5 NOTES:**

**5.1.5.1 Bidder's past experience as Un incorporated JV / Consortium:**

While evaluating the Bids, Bidder's past experience as a leader or member of a Consortium/ Unincorporated Joint Venture (JV) shall be considered acceptable, provided his scope in that Consortium/JV meets the requirement stipulated in the subject BQC under evaluation.

**5.1.5.2 Experience of Bidder or any Member of Consortium as a Sub-Contractor:**

A job completed by a Bidder or any Member of Consortium as a Sub-Contractor shall be considered for the purpose of meeting the experience criteria of BQC, provided the appointment of Sub-Contractor was authorized and subject to submission of following documents in support of meeting the "Bidder's Qualification Criteria":

- a) **Documentary evidence/Certificate by the end-User/Owner/PMC**, with regards to approval of Bidder/ engaging Bidder/ execution by the Bidder as a Sub-Contractor to the Main Contractor
- b) **Work order and Completion Certificates indicating the value of works and date of completion** issued by Main Contractor (including SOR, wherever required for establishing scope of work).

**5.1.5.3 Experience of Own Projects:**

A job executed by a Bidder for its own plant/projects shall not be considered as experience for the purpose of meeting the Qualification Criteria of the Enquiry document.

However, Jobs executed for Subsidiary/ Fellow Subsidiary / Holding company shall be considered as experience for the purpose of meeting BQC, subject to submission of additional document towards "tax paid invoice(s) duly certified by Statutory Auditor of the Bidder or consolidated statement issued by Statutory Auditor of the Bidder towards payments of statutory tax" in support of the job executed for Subsidiary/ Fellow subsidiary / Holding company.

In case referred Project falls under "No Tax Area" (like SEZ), Bidder can submit certificate from their Statutory Auditor to this effect in place of Tax paid invoice.

Chartered Accountant (CA) (in place of Statutory Auditor) is acceptable where audited accounts are not mandatory as per law for latest financial year. Also CA shall not be an employee/ Director and not having any interest in the Bidder's company/Firm.

In case, two separate Bidders submit reference of same work (wherein one was Main Contractor and the other was Sub-Contractor) for meeting Bidder Qualification Criteria, both Bidders' experience shall be considered for qualification subject to Bidder meeting other qualification requirements.

**5.1.5.4 Definition of Cross Country Pipeline:**

Cross country pipeline means all pipeline located beyond the boundary of any facility including pipelines after separator (exploratory well) and its associated facilities which are required for transportation of hydrocarbon from one point to another excluding piping within the separation and/ or gas processing plant up to plant isolation valves. The battery limit of cross-country pipelines of natural gas shall be limited to the upstream inlet isolation valve of City Gate Station (CGS) of any City Gas Distribution (CGD). Accordingly, City Gas Distribution network shall not be considered as cross country pipeline.



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**5.2 FINANCIAL CRITERIA**

Bidder shall meet the following criteria as per the Financial Statements audited and issued on or before Bid Due Date (Final Bid Due Date after extension, if any)-

**5.2.1 ANNUAL TURNOVER**

**(i) Sole Bidder:**

The minimum average annual turnover during three preceding financial years of the bidder as per the audited annual financial results shall be :

| Part No                                                                                                                                                                           | Average Annual Turnover |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Part A                                                                                                                                                                            | INR 29.30 Crore         |
| Part B                                                                                                                                                                            | INR 36.69 Crore         |
| Part C                                                                                                                                                                            | INR 35.10 Crore         |
| Part D                                                                                                                                                                            | INR 47.96 Crore         |
| Sole Bidder who intends to quote for more than 1 part, shall meet the Annual Turnover Criteria on cumulative basis of any 2 parts among quoted parts (Refer clause no 5.4 below). |                         |

**(ii) Consortium:**

Either of the consortium members shall meet the Average Annual Turnover criteria (i.e. "Leader" or "Member") as specified at clause no 5.2.1(i).

For the other consortium member, Average Annual Turnover in Five (5) preceding financial years of the bidder as per the audited annual financial results shall be -

| Part No | Average Annual Turnover |
|---------|-------------------------|
| Part A  | INR 5.86 Crore          |
| Part B  | INR 7.34 Crore          |
| Part C  | INR 7.02 Crore          |
| Part D  | INR 9.59 Crore          |

In case "Consortium" intends to quote for more than 1 part "Leader" as well as "Member" of Consortium shall meet the Annual Turnover Criteria on cumulative basis of any 2 parts among quoted parts (Refer clause no 5.4 below).

**Note for 5.2.1 (i) & (ii):**

- a. For Startups: In case Bidder's Company registration has not completed more than three financial year from the final bid due date and bidder has only two immediate preceding financial year's audited Annual Financial Result, in such situation average turnover shall be considered based on two year Annual Financial Result (i.e. total turnover of last two preceding financial year/2). Bidder has to submit company incorporation certification as proof of registration.

**5.2.2 NET WORTH**

**(i) Sole Bidder:**

The financial net-worth of the Bidder as per the immediate proceeding year's audited annual financial results shall be positive.



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**(ii) Consortium:**

The Net-worth of the "Leader" as well as "Member" of the consortium shall be positive. Further, negative Net worth shall not be rejection criteria for CPSEs. Contract award shall be purely on competitive basis and CPSEs having negative Net worth shall furnish an undertaking in their Bid that performance with respect to Quality and Time during contract execution shall not be compromised.

**5.2.3 WORKING CAPITAL**

**(i) Sole Bidder:**

Working Capital of Bidder as per the immediate preceding year's audited annual financial results should be at least:

| Part No                                                                                                                                                                           | Minimum Working Capital |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Part A                                                                                                                                                                            | INR 9.77 Crore          |
| Part B                                                                                                                                                                            | INR 12.23 Crore         |
| Part C                                                                                                                                                                            | INR 11.70 Crore         |
| Part D                                                                                                                                                                            | INR 15.99 Crore         |
| Sole Bidder who intends to quote for more than 1 part, shall meet the Working Capital Criteria on cumulative basis of any 2 parts among quoted parts (Refer clause no 5.4 below). |                         |

**(ii) Consortium:**

Either of the consortium member shall meet the Working Capital criteria (i.e. "Leader" or "Member") as specified at clause no 5.2.3(i).

The other consortium member shall meet the following Minimum Working Capital Criteria as per their immediate preceding year's audited annual financial results -

| Part No | Minimum Working Capital |
|---------|-------------------------|
| Part A  | INR 1.95 Crore          |
| Part B  | INR 2.45 Crore          |
| Part C  | INR 2.34 Crore          |
| Part D  | INR 3.20 Crore          |

In case "Consortium" intends to quote for more than 1 part "Leader" as well as "Member" of Consortium, shall meet the Working Capital Criteria on cumulative basis of any 2 parts among quoted parts (Refer clause no 5.4 below).

If the working capital of Sole Bidder / Leader or Member of Consortium is inadequate, the bidder should furnish a letter for unutilized line of credit (as per Annexure-B of IFB) from any Scheduled Commercial Bank in India having net worth not less than INR 100 Crore, confirming the availability of the fund based unutilized line of credit for the respective amount specified above, irrespective of overall position of the working capital.



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**Example:**

If the bidder intends to qualify for Part A, the bidder may meet the required working capital of INR 9.77 crore in two ways i.e. (a) either by the value of working capital calculated as Current Asset minus Current Liability specified in Balance sheet for immediate preceding year's Audited Financial Statement. Or (b) submitting a LOC (Line of Credit) of value INR 9.77 Crore.

**Illustration 1:**

In case Bidder's Working Capital is calculated as INR 8 Crore and Bidder has submitted LOC from bank for an amount of INR 11.50 Crore, then Bidder's Working Capital shall be considered as INR 11.50 Crore.

**Illustration 2:**

In case Bidder's Working Capital is calculated as INR 8 Crore and Bidder has submitted LOC from bank for an amount of INR 1.77 Crore, then Bidder's Working Capital will be considered as INR 8 Crore.

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

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

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

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

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

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

**5.2.4 CALCULATION OF NET WORTH, WORKING CAPITAL AND TURNOVER**

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

# Reserves to be considered for the purpose of net worth shall be all reserves created out of the profits and securities premium account but shall not include



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reserves created out of revaluation of assets, write back of depreciation and amalgamation.

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

| Description                                                             |   | Values <in<br>Currency> | Reference (Page<br>no., Clause etc.) |
|-------------------------------------------------------------------------|---|-------------------------|--------------------------------------|
| Paid up Share capital (A)                                               | : |                         |                                      |
| Add: Share Application Money<br>pending allotment (B)                   | : |                         |                                      |
| Add: Reserves (As defined above) (C)                                    | : |                         |                                      |
| Less: Accumulated Losses (D)                                            | : |                         |                                      |
| Less: Deferred Revenue Expenditure<br>to the extent not written off (E) | : |                         |                                      |
| <b>Net Worth (A+B+C-D-E)</b>                                            | : |                         |                                      |

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

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

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

5.2.5 In case Bidder intend to get qualified based on the Criteria stipulated at Clause no 5.1.3 above, then the Financial Criteria of tender is to be met by bidder on their own.

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

**5.3 EQUIPMENT DEPLOYMENT CRITERIA:**

5.3.1 Bidder shall meet the Key construction equipment requirement as per the list included in the Annexure to SCC of bidding document as specified below –

**(i) Sole Bidder:**

| Part No | Minimum Equipment Requirement  |
|---------|--------------------------------|
| Part A  | As per Annexure-VIII(A) of SCC |
| Part B  | As per Annexure-VIII(B) of SCC |
| Part C  | As per Annexure-VIII(C) of SCC |
| Part D  | As per Annexure-VIII(D) of SCC |

**(ii) Consortium:**

Criteria for total equipment required as indicated in Key construction list (as mentioned below) is to be fulfilled by the Un-incorporated JV/Consortium either individually or jointly.

| Part No | Minimum Equipment Requirement |
|---------|-------------------------------|
|---------|-------------------------------|



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|        |                                |
|--------|--------------------------------|
| Part A | As per Annexure-VIII(A) of SCC |
| Part B | As per Annexure-VIII(B) of SCC |
| Part C | As per Annexure-VIII(C) of SCC |
| Part D | As per Annexure-VIII(D) of SCC |

- 5.3.2 In case a Bidder intends to get qualified for more than 1 (one) part, Bidder shall meet the cumulative requirement of construction equipment specified for quoted individual part(s).

**5.4 Bidder (Sole Bidder or Consortium) quotes for more than one part:**

- 5.4.1 If a Bidder (Sole Bidder or Consortium) quotes for more than one part, then evaluation for each part shall be done individually on standalone basis and wherever, in such evaluation, the bidder meets the qualifying criteria for a particular part/ parts, the bidder's price bids will be considered for evaluation for that part/parts. Accordingly, in case bidder becomes L1 for multiple parts but does not meet the consolidated BQC of those parts, the selection of part for award will be decided based on the evaluation philosophy of overall least cost to NRL, with permutation / combination of different possible options, subject to maximum 2 parts shall be awarded to any single bidder. Evaluation Methodology shall be as per Bid Data Sheet enclosed in ITB.

**5.5 DOCUMENTS AND DATA REQUIRED WITH BID**

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

**5.5.2 Documents towards Experience Criteria:**

The bidder (Sole Bidder/Leader/Member) in his own interest shall furnish the following documents in support of his meeting the Bidder Qualification Criteria as per clause no. 5.1 of this document:

- i) Detailed Work Order
- ii) Completion Certificate.

The execution certificate (for part /partial completion) submitted by bidder in place of completion certificate shall be considered for meeting the stipulated criteria only if:

- a. "The provision for phase/part wise execution of the work is permitted in the contract"

OR

"Phase/part wise execution of the work is specified in the certificate issued by end user/ Owner"



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- b. Phase(s)/part(s) for which the execution certificate has been issued is ready for commissioning (i.e. 'Hydro testing' and 'EGP or Drying or Nitrogen Purging' has been completed for the particular section/phase/part of the Pipeline).
- iii) Schedule of Rates and/or any other documents, as required, to establish diameter wise quantities and single Stretch length.
- iv) In case bidder submits PTR for a work executed by them as a sub-contractor to the end-user/ owner, besides other documents (mentioned above) as required from main contractor, bidder shall also be required to submit documents as mentioned in Clause no 5.1.5.2 above.
- v) In case Bidder submits PTR for Past Experience as Consortium Member, bidder is required to submit above documents mentioned in S. No (i) to (iii) and also the Consortium Agreement / MOU clearly defining the scope and responsibility.
- vi) In case bidder submits PTR as per provisions stipulated in clause no 5.1.3, bidder shall submit documents mentioned in S. No (i) to (iii) above for their own as well as their Supporting Company, along with other documents specified in clause no 5.1.3 above.
- vii) In case bidder submits PTR as per provisions stipulated in clause no 5.1.4, "Leader" as well as "Member" shall submit documents mentioned at S. No (i) to (iii) above for their own, along with other documents specified in clause no 5.1.4 above.

The failure to meet the above qualifying criteria(s) will render the bid to be summarily rejected. Therefore, the bidder shall in his own interest furnish complete documentary evidence including certificates(s) of the work executed, to justify the qualifying criteria.

**5.5.3 Documents towards Financial BQC:**

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

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.

**Notes towards Financial Documentation:**

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



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

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

- (i) **Bidder is a Parent/Holding Company:** Where only consolidated Audited Financial Statements are prepared and audited, which includes the financial details of their wholly owned subsidiaries etc., consolidated audited financial statement shall be considered for establishing the financial criteria subject to Statutory Auditor/ CEO/ CFO/ Company Secretary or any member of the Board of Directors of the Bidder, certifying that standalone Financial Statements of Bidder (without the financial data of subsidiaries, etc.) is not separately prepared and audited.
- (ii) **Bidder is a Subsidiary Company:** In case a Bidder is a Subsidiary Company and separate Financial Statements of the Bidder is not prepared & audited, but only a consolidated audited Financial Statements of their Parent Company/Holding Company are available, consolidated audited Financial Statement shall be considered for establishing the financial criteria subject to Statutory Auditor/ CEO/ CFO/ Company Secretary or any member of the Board of Directors of the Parent/Holding company (whose Audited Financial Statements are submitted for qualification) certifying in their letter head that Financial Statements of Bidder are not separately prepared and audited.

**5.5.4 Documents towards Equipment Deployment Criteria:** Documents as specified in **Annexure- VIII** to SCC (Minimum Key Construction Equipment Required).

**5.6 Bidder should have minimum prescribed domestic value addition requirement in line with the Domestically Manufactured Iron & Steel Policy (DMI&SP) for the Iron & Steel products involved in execution of the contract. Bidder shall submit affidavit from the domestic manufacturers of such Iron & Steel products as per the Form-1 (also enclosed as ANNEXURE – 4A to ITB) enclosed with the policy document (Refer Clause No 35 of ITB).**

A bidder who is not manufacturer of Iron & Steel products and is unable to submit the affidavit from domestic manufacturers at bidding stage, such bidder can submit the affidavit issued by domestic manufacturers after placement of order. In this case bidder along with his bid shall submit an undertaking as per attached as Annexure-C to this IFB.

If a bidder does not submit above affidavit/ undertaking as per format, the offer of bidder shall be rejected.

**5.7 Unique Document Identification Number (UDIN): Bidder shall ensure that the certificate/reports issued/attested by practicing Chartered Accountant (CA)/Statutory Auditor in India shall contain Unique Document Identification Number (UDIN) of the CA, without which these Certificates/**



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**reports shall not be considered for evaluation.**

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

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

- a) It is Bidder's prime responsibility to submit genuine and authentic documents. No amount of checking or verification by EIL/NRL shall absolve Bidder from his responsibility.
- b) Bidder shall submit documents in support of meeting the Bidder Qualification Criteria [together with documents against MSE, if applicable], meeting the authentication process as under:
  - i. By CEO / CFO / Company Secretary (CS) or any member of the Board of Directors in case of Limited Companies (Private / Public Limited);  
CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company can either sign all the pages of the documents or submit a certificate signed by them [as per Format-A of IFB], listing out all the BQC documents submitted in the Bid along with basic details, duly referenced.  
Or  
By the Proprietor / any two Partners and also Notarized by Public Notary on all pages of the documents in case of Proprietorship / Partnership firms.  
And
  - ii. In addition to above, Bidder shall furnish an undertaking in the format enclosed herewith [as per Format-B of IFB], from the same authority (authorities) who had signed and authenticated the documents. Such undertaking shall also be notarized by Notary Public in case of Proprietorship / Partnership firm.
- c) Requirement of certification/authentication as stated above shall not be applicable to published audited annual financial statements in English, if original booklets are submitted.
- d) Bidder shall upload the authenticated copies of documents duly digitally signed, on the e-procurement website. Hence submission of physical document is not required.
- e) NRL/EIL shall carryout cross verification of the successful bidder's credentials submitted in the bid and considered by NRL/EIL for meeting the BQC-Experience Criteria (Technical) from the document issuing authority. It shall be responsibility of the bidder to assist NRL/EIL in carrying out this exercise. NRL/EIL shall also reserve the right to communicate directly with certificate issuing authority and / or carrying out a visit to the office / works of the certificate issuing authority. Bidder shall provide complete assistance towards the same. The work shall not be awarded until the requisite documents' cross verification has completed.

It shall, therefore, be responsibility of the bidder/ contractor to get their BQC documents considered for qualification successfully verified as above.



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Accordingly, bidder shall ensure that they submit those executed works meeting the qualification criteria for which they can arrange such verification.

Failure of cross verification shall entitle NRL/EIL to reject the bid.

**6.0 GENERAL**

- 6.1 Owner/EIL reserves the right to evaluate the Bids using in-house information.
- 6.2 Bidder or any Member of a Consortium should not be under liquidation, court receivership or similar proceedings.
- 6.3 Bidders should have valid PF, GST Registration and PAN.
- 6.4 The Sole Bidders or Leaders / Members of a Consortium who are on Holiday / Negative of EIL / NRL on the due date of submission of Bid / during the process of evaluation of the Bids, the offers of such Bidders shall not be considered for Bid opening/Evaluation/Award.
- 6.5 Bidder (Sole Bidder or its supporting company (if any) or any "Member" of Consortium) to inform the status of their being on black listing / holiday listing by EIL/NRL. Bidders (Sole Bidder or its supporting company (if any) or any "Member" of Consortium) who are on holiday list of EIL/NRL shall not be considered for evaluation. Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL/EIL.
- 6.6 Bidder (Sole Bidder or its supporting company (if any) or any "Member" of Consortium) to inform the status of their being on black listing / holiday listing by MOPNG and other OIL PSUs. Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL/EIL.
- 6.7 NRL / EIL shall not be responsible or liable for cost incurred in preparation, submission & delivery of Bids, site visit, participating in the discussion and other expenses incurred during the Bidding process, regardless of the conduct or outcome of the Bidding process.
- 6.8 In case, any Bidder is found to be involved in cartel formation, their Bid shall not be considered for evaluation/placement of order. Such Bidder shall be put on Holiday / blacklisted / debarred from Bidding in future for NRL / EIL.
- 6.9 Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.
- 6.10 NRL / EIL reserves the right to reject any/or all the Bids received or annul the Bidding process at any time at their sole discretion without assigning any reason thereof.
- 6.11 Unsolicited clarifications to the offer and/ or change in the prices during the validity period would render the bid liable for rejection.
- 6.12 For detailed specifications, terms and conditions and other details, refer complete Bidding Document.
- 6.13 Class I and Class II bidders are eligible to quote for this tender. Purchase preference against PPLC policy shall be applicable for Class I bidders only.



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- 6.14 Purchase preference for MSE bidders shall not be applicable for this tender.
- 6.15 PROVISION FOR PROCUREMENT FROM BIDDERS FROM COUNTRY(IES) SHARING LAND BORDER WITH INDIA: Bidder shall confirm compliance as per provisions of Instructions to Bidders (ITB).
- 6.16 BQC relaxation to start ups and MSE bidders shall not be applicable.
- 6.17 Owner / EIL reserve the right to complete evaluation of the bidder as per the details furnished by bidder without seeking any additional information / document.
- 6.18 For terms and conditions and other details/Specifications, refer complete Bidding document and subsequent Amendment(s), if any.
- 6.19 Clarification, if any, can be obtained from Mr. Shyamal Biswas / Mr. Manoj Kumar / Ms Sunita Mitra through following number.

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For & on behalf of Numaligarh Refinery Ltd  
(Authorized Signatory)

Name : Sunita Mitra  
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