

	NUMALIGARH REFINERY EXPANSION PROJECT	
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TENDER DETAILS

JOB NAME: SUPPLY OF FLOW CONTROL VALVE (FCV) EQUIPPED WITH INBUILT MECHANICAL TYPE AUTOMATIC FLOW RATE CONTROLLER at Numaligarh Refinery Limited

Tender Publish Date: 11-07-2024

Contact Details of EPCM:

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Tender Schedule

SI No	Title	Date & Time
1	Tender Publish Date	11-07-2024
2	Tender document download start date	11-07-2024
3	Tender document download end date & time	08-08-2024 at 3.00 PM
4	Bid Submission start date	31-07-2024
5	Bid Submission end date & time	08-08-2024 at 3.00 PM
6	Bid opening date & time (Technical Bid)	09-08-2024 after 3.00 PM

1. SCOPE OF WORK:

On behalf of **OWNER (NRL)**, M/s. **Technip Energies India Limited (TP)** as **EPCM** invites e-Bids for **SUPPLY FOR FLOW REGULATED VALVES** for **NREP** on **Global Open Competitive Bidding** under **Single Stage Two- Bid system (Part-1: Techno-Commercial Bid and Part -2: Priced Bid)** from competent Bidders with sound Technical and Commercial capabilities.

1.1 Brief Scope of Work

Design, Engineering, manufacturing, procurement of materials and bought out components, assembly at shop, Inspection including inspection by TPIA, Testing at manufacturer's works, packing, **SUPPLY OF FLOW CONTROL VALVE (FCV) EQUIPPED WITH INBUILT MECHANICAL TYPE AUTOMATIC FLOW RATE CONTROLLER** as per material requisition attached for **NRL RPTU** project at **NRL, Numaligarh, Golaghat District, Assam**.

Transit insurance shall be arranged by **NRL**.

(Detailed Scope mentioned in the Material Requisition No: **200663C-000-MR-1542-0004**)

Mandatory Spares (If applicable) will be supplied as per document refer Technical MR for SPARE PARTS, SPECIAL TOOLS AND CONSUMABLES PHILOSOPHY attached as part of the material requisition specified above

1.2 Location of Work / Site:- Numaligarh Refinery Limited(NRL), Golaghat, Pin Code - 785699, Assam, India.



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SALIENT FEATURES OF NOTICE INVITING TENDER (NIT)

1	Tender No.	TP/0200663C/NRL/1542-0004/1186
2	Type of Tender	GLOBAL OPEN COMPETITIVE BIDDING (E-BIDDING)
3a	Mode of Tendering	GLOBAL OPEN TENDER - Single Stage, Two-Bid system
b	Evaluation Methodology	Overall basis (Being Single Line)
4	Name of Work	SUPPLY OF FLOW CONTROL VALVE (FCV) EQUIPPED WITH INBUILT MECHANICAL TYPE AUTOMATIC FLOW RATE CONTROLLER For NUMALIGARH REFINERY LIMITED
5	Tender Fee	NIL
6a	Last date of Receipt of Bidder's Queries.	18-07-2024
6b	Pre-Bid Meeting	Applicable, Pre-Bid Meeting at 14:30 Hrs on 19-07-2024 shall be via Video Conferencing (Preferably Microsoft Teams)
7	Earnest Money Deposit (EMD)	Not Applicable



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8	Delivery Schedule	FOR INDIAN BIDDERS: 08 (Eight) Months on FOT Dispatch Point basis from the date of LOA. Date of Lorry receipt (LR) shall be considered the date of delivery. FOR FOREIGN BIDDERS: 07 (Seven) Months on FOB international Port of Exit basis from the date of LOA. Bidder to inform readiness of material 30 days in advance for arranging vessel. Bidder will be provided FIATA Bill of Lading by NRL Freight Forwarder for handover of material. Date of FIATA Bill of Lading will be considered as date of delivery Note: Delivery of the material within the stipulated period is the principal essence of this tender. Offers not meeting the delivery schedule shall not be considered for evaluation Final destination for delivery of material shall be Numaligarh Refinery Limited (NRL), Golaghat, Assam
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Technical Qualification criteria-

- a. Option-1 : The bidder shall be OEM of the offered valve assembly.
- b. Option-2 : Offer from other than OEM (i.e. authorized dealer/ system integrator/ representative/sister concern of OEM of offered Valve) is also considerable subject to submission of valid dealership certificate/ system integrator certificate/ authorization certificate/ Agreement copy from the OEM of the offered valve, along with the offer. Also, for such cases. bidder must have past experience of successful execution of atleast one similar job (i.e. Supply of any valve of the OEM of the offered valves) to any Petroleum / Petrochemical Industry in India during the last **10 years** ending on the last day of the month immediately preceding the month in which the last date of bid submission falls (in case of extended bid submission date, original bid submission date shall be considered).

Accordingly, bidder must submit the following supporting documents for the compliance,

- Past PO copy with applicable backup documents (containing the item description/ details (make, model), work order no., date of order) awarded in the name of bidder, issued/ declared by Client/ EPCM/EPC.
(Note: Following information related to the submitted documents to be furnished as per prescribed format attached along with MR i.e. PO No. & Date, Name of the organization, Item Detail (including model No.), Date of supply).
- Documentary proof evidencing the completion of supply at end user's site for the valves ordered under the referred PO as mentioned above. Such document shall comprise of at least any one of the followings:
 - Copy of GRN/ proof of receipt of items at site issued /declared by the end user/ EPC/EPCM.
 - Site commissioning report (certified by end user / EPCM).
 - Certificate/ feedback from end user on satisfactory performance.
- In case where the bidder cites the reasons of Non-Disclosure Agreement (NDA) for its inability to submit necessary documents in support of meeting the experience criteria, a certificate, in original, certifying all the required information, issued by CEO / CFO of the company along with a declaration that the bidding company is not in a position to submit the required documents owing to the NDA with an endorsement by Chartered Accountant / Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) may be accepted.
- Wherever Chartered Accountant / Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) is not in a position to endorse such CEO / CFO's certificate due to local regulations, CEO / CFO's certificate in original without endorsement may be accepted provided a reference of the local regulation restricting this endorsement is given in the CEO / CFO certificate.

Submission of authentic documents shall be the prime responsibility of the bidder.

9.1



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9.2	<u>COMMERCIAL EXPERIENCE CRITERIA:</u> DELETED
9.3	DELETED
9.4	Financial Criteria :
9.4.1	The Average Annual Turnover of Bidder shall be equal to or more than Rs. 33.90 Lakhs (Rupees Thirty Lakhs Thirty Three lakhs Ninety Thousand only) & USD 40,700 (USD Forty Thousand Seven Hundred only) during preceding 3 (Three) Financial Years from the date ending on the last day of the month immediately preceding the month in which the last date of bid submission falls 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. If a Bidder does not submit the aforementioned financial statements for three specified years, then Average Annual Turnover will be calculated based on financial figures of only those specified years for which requisite financial statements are submitted. Turnover will be considered '0' (Zero) for the year(s) for which requisite financial statements are not submitted."



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Bidder shall have Positive Net Worth for the immediate preceding financial year as per the latest Audited Report.

To establish the Positive Net Worth, Bidder shall furnish the latest Audited Financial Statement including Auditors reports, Audited Balance Sheet, Profit & Loss Account, Notes, Annexure (if any) etc.

In case Net worth is negative in the immediate preceding financial year, the bid shall be rejected. 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.

9.4.2

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)		



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For 9.4.1 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.

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,

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 9.4.1 & Net Worth Criteria as per clause 9.4.2 mentioned above will render the bid to be summarily rejected.

However, in exceptional cases, In case Net worth is negative, the bid shall be considered for further evaluation only if the bidder provides an undertaking from any financial institution regulated by RBI or any scheduled bank in India having net worth not less than Rs.100 Crores towards financial support for executing orders in case of order placement on them.

Working Capital: - Not Applicable

Working Capital shall be Current Assets minus Current Liabilities.

9.4.3

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.

The "Line of Credit", shall be for the total value of Working Capital as per the requirement indicated under BQC. In case of tender having multiple Groups, the bidder shall submit the Line of Credit for the Total value of Working Capital as per BQC of the Groups being participated by the bidder.



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10	Documentation	
10.1	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.	
10.2	<u>For Technical Criteria:</u> Bidder shall submit the following documents to establish that the bidder meets the Qualification requirements as per clause no. 9.1 above of this document: <u>For Commercial Criteria:- Deleted</u> NRL (Owner) / Technip-India (Consultant) reserve the right to assess Bidder's capability and capacity to perform the Contract by taking into account past performance, and various aspects such as concurrent commitments etc. NRL (Owner) / Technip -India (Consultant) also reserve the right to use in-house information for assessment of capacity of bidder and their performance on jobs completed/in progress for evaluation purpose	
11	Mode of Submission Bids shall be submitted online only at CPPP website: http://eprocure.gov.in/eprocure/app.	
12	Language	English
13	Bid Validity	The offer should be valid for 120 Days from the Final bid submission end date (including BDD extension(if any))
14	Non-Disclosure Agreement (NDA / Licensor)	Applicable Cutoff Date for Submission of NDA:18.07.2023 Only the Commercial Part and Priced Part of the Bidding Document along with the Confidentiality Agreement Format are being issued and uploaded on the e-tendering portal (http://eprocure.gov.in/eprocure/app). Technical Part (i.e., MR) of the bidding document is not issued / uploaded on the etendering portal (http://eprocure.gov.in/eprocure/app). Bidders will be required to execute a separate Confidential agreement with PROCESS LICENSOR , as a prerequisite for accessing Technical section including the Licensor Specific Confidential Documents of the enquiry. Bidder shall download the format of Confidentiality Agreement enclosed with this enquiry and submit the scan copy duly filled in, signed and stamped by the authorized signatory of the

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		bidder within the cut-off date and time as mentioned in NIT. After verifying the confidentiality agreement as received from the bidders and after receipt of a reconfirmation from the bidder through e-mail that the NDA has been signed by the competent authority, the Technical Section along with the Licensor Specific Confidential Documents of the enquiry shall be issued separately in Physical form / CD through courier or email or Secured FTP server, only to the bidders, whose Confidentiality Agreement are found to be correct and in line with the prescribed format and accepted by Licensor.
15.	Contact Details for Submission of Non-Disclosure Agreement (NDA) thru e-mail.	In order to accelerate the approval process from Legal team, we request you to include the following phrase "SIGNED WITHOUT ANY DEVIATION" close to your signature (in CLG NDA) and send back within cut of date to M/s Technip at following email ids :- E-mail: Krishan.singh@ten.com surabhi.bhange@ten.com dimple.asopa@ten.com
16	Addition / Deletion Rates	Not Applicable
17	Conversion rate for Price Evaluation	Foreign bids shall be compared considering the Bill Selling Rate released by State Bank of India prevailing as on the date of price bid opening"

17. General notes on Bidder Qualification criteria (Pre-Qualification Criteria)

- a) Offer from Joint Bidders / Consortium will not be acceptable.
- b) The Offers with incomplete/ irrelevant documents or anomalies are liable to be rejected without any communication. Hence, bidders are advised to take utmost care while uploading their prequalification documents.
- c) **Bids from following types of Bidders will not be accepted**
 - i. If any bidder/ an agency is placed on Holiday/ Negative/ Suspension/ Banning List of or Black Listed by the EPCM/PMC Consultant for the job/ NRL, they will not considered for evaluation, at any stage prior to placement of order.

If any bidder is qualified based on the credential of his parent/ associate/ affiliate etc. and the parent/ associate/ affiliate is under the Holiday/ Negative/ Suspension/ Banning List of or Black Listed by EPCM/PMC Consultant for the job/ NRL, the offer from the bidder shall also not be considered for evaluation, at any stage prior to placement of order.

Similarly, if a Bidder is qualified based on engaging a sub-contractor/ sub-vendor who meets stipulated qualification criteria and in case such a sub-contractor/ sub-vendor is

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on Holiday List/ Negative List/ Suspension List/ Banning List or Black Listed by the EPCM/PMC Consultant for the job/ NRL, they will not considered for evaluation, at any stage prior to placement of order.

- ii. Further, in case of a Consortium/JV, if any of the member(s) of Consortium/JV is on Holiday List/ Negative List/ Suspension List/ Banning List or Black Listed by the EPCM/PMC Consultant for the job/ NRL, they will not considered for evaluation, at any stage prior to placement of order.
- iii. Bidder to provide undertaking that they are not on Holiday/ Negative/ Suspension/ Banning List of or Black Listed by any other Central Govt. Dept./ Central Public Sector on due date of submission of Bid.
- iv. Further, any wrong declaration in respect of holiday listing shall render the vendor liable for action under the holiday listing policy of NRL and PMC/EPCM Consultant for the job.
- v. In the event, an Insolvency Event has occurred with respect to Bidder as on the Bid Due Date or during the Bidding Process, the Bids of such Bidder shall be rejected and not considered for evaluation.
- vi. 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.
- vii. Bidder(s) who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code).
- viii. Bidder(s) whose insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the above Code at any stage of evaluation of the bid.
- d) Submission of authentic documents shall be the prime responsibility of the bidder.
- e) Wherever OWNER or its representative have concerns or apprehension regarding the authenticity / correctness of any document, OWNER or its representative reserve the right of getting the document cross verified from the document issuing authority/any relevant source. If documents (part or full) are found forged, such offers will be summarily rejected, orders if any placed against subject tender will be terminated and may be debarred from future tenders. For the purpose of verification bidders shall submit complete client details with names, address, phone number, e-mail ID etc.
- f) All documents submitted by the bidder towards meeting PQC shall be furnished in a separate booklet titled as "Documentation against Bidder Qualification Criteria" with proper indexing.
- g) **For fulfilling the financial criteria, annual audited and published financial statements (balance sheet, P & L account, auditor report and all other schedules/notes to balance sheet and P & L account) of the bidder shall be considered as financial proof. The order value and turnover for the purpose of PQC shall be rounded off to the next thousand for rupees or hundred for USD.**
- h) **In case the balance sheet is available in the public domain the same shall be acceptable. Bidder to submit the proof for the same. Else, bidder to submit annual audited financial statements & balance sheet duly notarized for Domestic Bidders OR stamped by Chamber of Commerce of the bidder's country for Foreign Bidders.**
- i) In case the financial year closing date is within 9 months of bid due date and audited annual report of immediate preceding financial year is not available, bidder has the option to submit the financial details of the three previous years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate three preceding

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financial years.

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

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

- j) In case where the bidder cites the reasons of Non-Disclosure Agreement (NDA) for its inability to submit necessary documents in support of meeting the experience criteria, a certificate, in original, certifying all the required information, issued by CEO / CFO of the company with a declaration that the bidding company is not in a position to submit the required documents owing to the NDA with an endorsement by Chartered Accountant/ Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm)
- k) Wherever Chartered Accountant / Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) is not in a position to endorse such CEO / CFO's certificate due to local regulations, CEO / CFO's certificate in original without endorsement may be accepted provided a reference to the local regulation restricting this endorsement is given in the CEO / CFO certificate.
- l) In case of a MSE bidder, documentary evidence as per the prevailing Government policy shall be acceptable.
- m) A Consultant appointed for the project / work shall not be allowed to participate in the tender either directly or indirectly. An indirect participation shall include participation through an affiliate or as subcontractor, consultant or supplier with the exception of participation as TPIA for the same job. The expression 'affiliate' for the purpose of this clause will include any person, or company or association (howsoever designated) who/which is a member of the consultant (if the consultant is a joint venture or consortium or who or which directly or indirectly holds 10% (ten percent) or more of the capital or voting capital of consultant (if the consultant or any of its members is a company or a body corporate) or who or which is consultant or sub-contractor of the consultant with regard to the project.
- n) A Company (bidder) shall not be allowed to use the credentials of its parent or any group company to meet the Financial Criteria.
- o) Notwithstanding any other condition/ provision in the tender documents, bidders are required to submit complete documents pertaining to PQC along with their offer. Failure to meet the PQC will render the bid to be summarily rejected. NRL reserves the right to complete the evaluation based on the details furnished by the bidder, with or without seeking any additional supporting documents /clarifications.
- p) The bidders must submit complete and unambiguous documents pertaining to PQC (Commercial & financial) 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

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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.

- q) Bidder shall not be allowed to submit new references or document, related to such new references with respect to their past experience unless it is not mentioned in the list (past experience) submitted along with the bid.
- r) Bidder to refer attached Annexure to ITB for Terms & Conditions for Compliance of Restrictions for bidders from countries which share land border with India and for applicable formats of declarations to be submitted by bidder on bidder's letterhead, failing which the bid is liable for rejection.
- s) All correspondence must be only in ENGLISH language. In case of Foreign Bidder, if any of the documents in support of meeting PQC are not in English language, then the English translation copy of the same duly certified, stamped and signed by Local Chamber of Commerce shall be furnished along with the document in the un-priced bid. Translation by Indian Embassy/ High Commission or authorized/ approved translation agencies (by Indian embassy/ high commission or any other authority) shall also be acceptable.
- t) All documents furnished by the bidder in support of meeting the Bidder's Qualification Criteria (BQC) shall be:

Submitted duly certified by Statutory Auditor of the bidder or a practicing Chartered Accountant (not being an employee or a Director and not having any interest in the bidder's company) where audited accounts are not mandatory as per law.

OR

Submit documents duly notarized by any notary public in the bidder's country or certified true copies duly signed, dated and stamped by an official authorized for this purpose in Indian Embassy/ High Commission in Bidder's country."

OR

Bidder shall submit self-certified documents from any one out of CEO or CFO or Company Secretary of the bidder (Limited company only) along with Self-Certification. This option shall not be applicable to Proprietorship/ Partnership firms.

OR

In case of PSU, the Power of Attorney holder duly authorized by the Board shall self-certify the BQC documents.

- u) The bidders should furnish Permanent Account Number, PF Number, GSTIN and place of registration, ESI Registration Code, Proprietor ship affidavit. and any other statutory requirement (as per provision of the bid document), at the time of submitting their bid.

Note- Bidders shall submit the following documents in Original to Consultant within seven (7) days from the date of Un-priced Bid opening:

- a) Original EMD BG/DD/, if applicable
- b) Original copy of Integrity Pact Agreement (Wherever applicable)

Uploading of EMD details (scanned copy) is mandatory on CPPP Portal. In the absence of an

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EMD as required under the tender, the offer is liable for rejection.

18. General

Bidder to note the following before bidding:

- (a) Relevant supporting documents towards other requirements specified are also to be uploaded along with Techno- commercial bid failing which bid is liable for rejection.
- (b) NRL (Owner)/ Technip (Consultant) reserves the right to reject any or all of the tenders or any parts of the tender so received and may cancel the tender in part or full, extend the due date of Tender submission etc. without assigning any reason.
- (c) Legal dispute, if any, shall only be within the jurisdiction of the Courts in Golaghat, Assam unless mentioned otherwise.
- (d) All communication will be made through e-Tendering web site (<https://eprocure.gov.in/eprocure/app>) / official email ids of NRL / Technip (EPCM) , Noida office India.
- (e) Bidder cannot make any claim against NRL (Owner) / Technip (Consultant) towards its expense incurred in connection with the preparation and delivery of their bids, site visit, participating in the discussion and other expenses incurred during bidding process.
- (f) Bidder should make sure that their priced bid (BOQ) contains only prices. Rates mentioned elsewhere shall not be taken into cognizance. Offer shall be liable for rejection if any condition directly or implied, recorded in Priced Bid (BOQ).
- (g) After opening of the technical bids but before the opening of the price bids, the bids may be rejected for unsatisfactory performance or adverse comments which have come to the notice after the issue of the tender enquiry.
- (h) Offers not meeting statutory requirement are liable for rejection.
- (i) Bidders are advised to regularly visit Announcement section/ Information for DSC/ Bidders Manual Kit/ FAQ of e-Tender Portal.
- (j) Refer ITB of the tender document /E-Tendering methodology for more details
- (k) Any Corrigenda / Addenda, subsequent to the publication of the tender, will be published on the CPP Portal. All amendments, time extension, clarifications, etc. will be uploaded in the said websites. Bidders are therefore advised to regularly visit the website to keep themselves updated.
- (l) **Bidder to submit Cover Page of the Tender Document duly signed and stamped along with all Corrigenda / Addenda published for the respective Tender along with Unpriced Commercial Offer as a token of acceptance of the whole Tender Documents. Deviations if any to be filled only in the Commercial / Technical Deviation Form available in the Bid Document. Deviations mentioned elsewhere in the Tender shall not be considered for evaluation.**
- (m) 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.
- (n) If documents (part or full) are found forged, such offers will be summarily rejected and bidder may be debarred from future tenders.
- (o) Bidder shall not be on Holiday/ Suspension/ banning list of EPCM/PMC Consultant for the job/ NRL.
Bidder shall not use any sub-vendor who is banned or de-listed or on Holiday/ Suspension/ banning

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list of EPCM/PMC Consultant for the job/ NRL.

- (p) **NRL (OWNER) / Technip (CONSULTANT) reserves the right to disqualify / reject any bid for further evaluation in case of reported Poor Performance of works in past due to financial constraints or due to any other reasons what so ever attributable to Bidder. Decision of OWNER / CONSULTANT in this regard shall be final.**
- (q) No Foreign Principal can engage / authorize more than one Indian Agent / Authorized representative in India on behalf of the Principal. In case authorized dealers/ distributors/ Agent/ Authorised Representative participates along with the OEM / Principal in a tender, the offer from OEM / Principal will only be considered.
- (r) In order to consider offer submitted by Indian Agent/ Authorized representative in India on behalf of Foreign Principal /OEM, Foreign Principal / OEM must meet the PQC requirement of the Tender. Single Point Responsibility for execution of the complete job (as per scope of tender) shall be with Foreign Principal (i.e. OEM) only.
- (s) The bidders who are selling agents/ authorized distributors/ authorized dealers/ authorized supply houses of the domestic manufacturers of iron & steel products are the bidder shall furnish the authorization certificate issued by the domestic manufacturer for selling domestically manufactured iron & steel products along with bid (if applicable)
- (t) The bidders shall adhere to the following provisions of the Bidding Document without taking any deviations, failing which the Bid shall be considered to be non-responsive and are liable to be rejected.
- Declaration for Bid Security / Earnest Money Deposit (EMD) letter or EMD - as applicable
 - Defects liability period.
 - Bid Validity.
 - Price BOQ format.
 - Time schedule.
 - Termination and suspension.
 - Force Majeure.
 - Scope of Supply.
 - Integrity Pact (where applicable)
 - DMI&SP (where applicable)
 - Governing Law and Seat of Arbitration
 - Limitation of Liability
- (u) “ Bidder(s) at his own discretion may also explore the possibility of Rail Transportation of Material/Equipment etc. up to Railway siding (NMGS) adjacent to Refinery Expansion Project Site. For the purpose they may contact:--
Divisional Operations Manager (I/c), Tinsukia, NF Railway, Mobile No-9957555900, Land Line-(0374) 2338969
Above is information only and no way to be considered as a part of terms and conditions of this tender document.”

19. Terms & Conditions for e-bidding

- A) The subject tender is an e-tender & can be downloaded from CPPP website.
- B) The tender document will not be issued in person or sent by post. Mere obtaining tender document through CPPP website shall, however, not be construed that the bidder/agency is considered qualified.
- C) Bidders are mandated to get enrolled on e-Tendering portal (<https://eprocure.gov.in/eprocure/app>)

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and enrol their Digital Signature Certificate (DSC).

- D) Bidders are advised to read the instructions for participating in the e-tendering from the website <https://eprocure.gov.in/eprocure/app> . The Help Documentation placed at Home Page provides necessary guidance to bidders for using the e-Tendering site. A user ID will be issued to each prospective bidder by e-Procurement administrator for participation in e-tendering. Special Instruction to Bidder for e tendering procedure is enclosed as part of tender document.
- E) Bidder shall download the Bidding Document in his own name and submit the bid directly. The Bidding Document is non-transferable. Bids submitted by Bidder(s) who have not downloaded the bidding document either directly or through their authorized person will be rejected. Please note that only the person having Power of Attorney to do bidding process on behalf of the bidder shall submit/upload the bid document using their own DSC.
- F) As far as possible Bidders are requested to clarify all the technical queries related to tender during the Pre-bid meeting i.e. before the bid opening and ensure compliance of all provisions of the bidding document.
- G) NRL (Owner) / Technip (EPCM) will not be responsible for non-submission of bid within specified time of tender submission due to any website related problems.
- H) **Bidders to ensure submission of Correct File Format in the portal. In case NRL / Technip (EPCM) cannot open the bids due to corrupt bid files / formats, the offer shall be rejected.**
- I) Successful bidder upon award of contract shall consider one-day visit of their Project manager / senior Management / Indian representative on their own expenses to Technip (EPCM) , Noida office each month after order for progress review meeting. After getting code 2 approval from Technip (EPCM) , Noida office India, vendor shall incorporate all comments / observation in respective drawings/documents and instead of submitting revised drawings, vendor's Technical team / Indian representative along with laptops and soft copies of these drawings / documents shall visit Technip (EPCM) , Noida office to discuss open points across the table to facilitate early code 3 approval. These vendor visits shall be continued till these documents / drawings get code-3 approval.
- J) NRL (Owner) / Technip (EPCM) reserve the right to assess Bidder's capability and capacity to perform the Contract by taking into account past performance, and various aspects such as concurrent commitments etc. NRL (Owner) / Technip (EPCM) , also reserve the right to use in-house information for assessment of capacity of bidder and their performance on jobs completed/in progress for evaluation purpose.
Note: Visit <https://eprocure.gov.in/eprocure/app> to download tender documents. Addendum / Corrigendum, it shall be hosted on this website only. Bidders are advised to regularly visit the e-Tender portal to keep themselves updated.

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SUMMARY OF TENDER:

1	Integrity Pact Agreement	Applicable
2	Reverse Auction	Not applicable for this Tender
3	Consortium/JV Bidding	Not applicable for this Tender
4	Contract Performance Bank Guarantee (CPBG)	Applicable
5	Benefits/Preference for MSE	Purchase preference only applicable. Relaxation to BQC /PTR to Startup and MSE is not applicable for this tender
6	PP-LC 2020-21	Applicable
7	DMEP	Not applicable for this Tender
8	DMI&S Policy	Not Applicable for this Tender
9	NDA	Applicable
10	Office Memorandum regarding compliances related to any bidder from a country which shares a Land Border with India.	Applicable

Krishan Pal Singh
Sr. Manager – Procurement

For and on behalf of
Technip Energies India Limited
