



## **NOTICE INVITING TENDER**

**SUPPLY OF LICENSE, BASIC DESIGN ENGINEERING PACKAGE (BDEP), CATALYST  
AND OTHER RELATED SERVICES  
FOR DIESEL HYDROTREATING UNIT (DHT)  
(INTERNATIONAL COMPETITIVE BIDDING)**

**BIDDING DOCUMENT NO.: 44AD5600–DHT-001**

**FOR**

**NUMALIGARH REFINERY EXPANSION PROJECT  
OF NUMALIGARH REFINERY LIMITED**

**Prepared by**

**JACOBS**

**Jacobs Engineering India Private Limited  
Mumbai**

## **1.0 INTRODUCTION**

- i. NRL operates a 3.0 MMTPA refinery located in the Golaghat dist. of Assam, India processing Assam Crude. NRL intends to expand its refining capacity by installing a parallel train of 6.0 MMTPA capacity processing Arab Mix crude (AH:AL: 70:30). The new train comprises of various process units including a Diesel Hydrotreater (DHT of 3.5 MMTPA) Unit as a part of NRL Expansion Project (NREP). For this Project M/s. Jacobs Engineering India Pvt. Ltd. (JACOBS), Mumbai have been retained as Consultant for Selection of Process Licensor for DHT and SRU of NREP. JACOBS on behalf of M/s. Numaligarh Refinery Limited invite bid of qualified bidders against the Bids for Licensor selection with award recommendation for the units mentioned above.
- ii. In order to remain competitive and improve refinery profitability further, as a part of long-term strategy, NRL intends to set up the above units. The processing objective of Diesel Hydrotreater (DHT) Unit shall be to produce Diesel conforming to BS-VI specification (Sulfur <10 ppmw).
- iii. NRL /JACOBS, invite Bids for supply of know-how / license, Basic Design Engineering Package (BDEP), catalyst and other related services for Diesel Hydrotreating Unit (DHT) from the competent LICENSORS with sound technical and commercial capabilities.
- iv. This document constitutes Technical Specifications of bidding document for inviting firm techno-commercial proposals from the LICENSORS of DHT technologies for supply of Know-how / License, Basic Design Engineering Package (BDEP), proprietary supplies and other related services for evaluation of the technologies and selection of LICENSOR for the proposed DHT unit at Numaligarh Refinery, Assam, India.

## **2.0 BRIEF SCOPE OF SERVICES & SUPPLY:**

Scope of Work for supply of license, basic design engineering package and other related services for Diesel Hydrotreating Unit (DHT) shall include supply of License, Supply of BDEP, identification and design of special equipment, review and approval of engineering documents, related services, supply of proprietary items/ catalysts, chemicals, if any, etc. as detailed in the Bidding Document.

Detailed scope of work & conditions of contract will be in the Technical Specifications.

**3.0 SALIENT FEATURES OF BIDDING DOCUMENT**

Sr. No	SALIENT FEATURES	DETAILS
a)	E-Tender ID/ Bidding Document No.	<b>44AD5600-DHT-001 dated 14.09.2019</b>
b)	Bidding Document & subsequent Addendum/ Corrigendum (if any) available on Website for viewing & downloading	<p>The complete document / Addenda / time extension / clarification etc. is available on Govt. of India Central Public Procurement Portal i.e. <a href="https://eprocure.gov.in/eprocure/cppp">https://eprocure.gov.in/eprocure/cppp</a> .</p> <p>Only Invitation for Bids (IFB) / Notice Inviting Bid (NIT) shall be published in NRL's Portal <a href="https://nrl.co.in">https://nrl.co.in</a></p> <p>However, bidders have to submit their bids only through Govt. of India Central Public Procurement Portal i.e. <a href="https://eprocure.gov.in/eprocure/cppp">https://eprocure.gov.in/eprocure/cppp</a> .</p>
c)	Period during which Bidding Document can be viewed & downloaded from Website	From <b>14.09.2019 to 14.10.2019</b>
d)	Last date of Receipt of Bidder's Queries for Pre-Bid Conference	<b>Upto 17.0 Hours (IST) on 25.09.2019</b>
e)	Pre-Bid Conference	<p><b>10:30 Hrs. (IST) on 27.09.2019 at:</b></p> <p>Jacobs Engineering India Pvt. Ltd. Jacobs House, Ramkrishna Mandir Rod, Mumbai-400059.</p> <p>Contact Person : Mr.Jaswant Tawade – Section Head (Process) Phone : 91 22 26812372. Mobile : 91 9833735099 E-mail : <a href="mailto:Jaswant.Tawade@worleyparsons.com">Jaswant.Tawade@worleyparsons.com</a></p>
f)	Last Date for online submission of EMD	<b>16.10.2019</b>
g)	Last Date and time of online submission of Bids	<b>11:00 Hrs. (IST) on 17.10.2019 on</b> Govt. of India Central Public Procurement Portal <a href="https://eprocure.gov.in/eprocure/cppp">https://eprocure.gov.in/eprocure/cppp</a> only
h)	Online Opening of Techno Commercial Unpriced Bids	<b>11:00 Hrs. (IST) on 18.10.2019</b>

h)	Contact Person for any query/ clarification	<p><b>Technical Part:</b>  From Jacobs :  Mr. Jaswant Tawde  Section Head – Process  E-mail : <a href="mailto:Jaswant.Tawde@worley.com">Jaswant.Tawde@worley.com</a>  Phone : 91 22 26812373. Cell : 91 9833735099</p> <p>From NRL :  Mr. Rupam Kumar Sarmah  Dy. General Manager (Project Tech-Process)  E-Mail ID: <a href="mailto:rupam.k.sarmah@nrl.co.in">rupam.k.sarmah@nrl.co.in</a>  Phone : 91 9435703129</p> <p><b>Commercial Part :</b>  From Jacobs :  Mr. Somir Banerjee / Mr. Amit Shinde  Sr. Gen. Manager – Procurement / Manager – Purchase  E-mail: <a href="mailto:Somir.banerjee@worley.com">Somir.banerjee@worley.com</a> / <a href="mailto:Amit.Shinde@worley.com">Amit.Shinde@worley.com</a>  Phone : 91 22 26812771 / 26812099</p> <p>From NRL :  Mr. JB Sarma  DGM (Project Commercial)  E-Mail ID : <a href="mailto:Jyoti.sarma@nrl.co.in">Jyoti.sarma@nrl.co.in</a>  Phone : 91 9435152586</p>
i)	Cost of Bidding Document	Not Applicable
j)	<b>Earnest Money Deposit</b>	<p><b><u>For Indian Bidders</u></b></p> <p>INR 1,00,000.00 (Indian Rupees One Lakh only)</p> <p><b><u>For Foreign Bidders :</u></b></p> <p>US\$ 1,400 (US Dollar Fourteen Hundred Only)  <b>OR</b>  € 1,300 (Euro Thirteen Hundred only)</p> <p>In case of Foreign Bidders, EMD can also be submitted by their Indian Counterpart of Foreign Bidder in INR on their behalf.</p>
k)	Online Opening of Priced Bids of Techno-Commercially Accepted Bidders	On date & time to be intimated later on to techno-commercially acceptable & qualified bidders

- 3.1 If identified dates as (\*) above happens to be a declared holiday/closed day in NRL, activity shall be conducted on next working day at 14:00 Hrs IST.
- 3.2 All amendments, time extension, clarifications, etc. will be uploaded in the websites only. Bidders should regularly visit the above website(s) to keep themselves updated.
- 3.3 Request for extension or any queries received from any bidder with less than two working days prior to bid due date shall generally be ignored, since there will not be adequate time for consideration. Bidders shall submit the bid directly and in their own name without involving any intermediaries.

**4.0 TIME SCHEDULE:**

Refer Scope of work (Technical documentation) for detail time schedule.

**Note:** A list of proprietary equipment/catalyst/chemicals if any, with vendor names and other details to be furnished. Licensor is to indicate firm prices of these items as per Schedule of prices. Shortest delivery period of such proprietary equipment is also to be indicated.

**5.0 BIDDER'S QUALIFICATION CRITERIA (BQC)**

Bidder shall fulfill the following qualification criteria:

**5.1 Reference Diesel Hydro-treating Unit:**

- 5.1.1 Bidder must be having licensed DHDT unit of feed processing capacity of minimum 1.2 MMTPA within the last fifteen (15) years (Note – 1) anywhere in the world.
- 5.1.2 The reference unit shall be a commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant is not acceptable).
  - a. Reference unit shall not be a captive unit. This clause shall not be applicable for Indian technology provider.
  - b. The reference Unit shall be a grass root unit. No revamp or debottlenecking reference is acceptable.
- 5.1.3 The reference unit shall have completed atleast One (1) year of commercial operation (Note - 1).
- 5.1.4 The reference unit shall have been designed for minimum 15 wt% of cracked components in the total feed mix with a processing capability to achieve 10 wt-ppm sulphur in the unit product diesel stream. Cracked component excludes streams from hydrocracking /treating unit.

**5.2 Catalyst offered by bidders in the tender:**

- 5.2.1 The bidder can offer latest generation hydro-treating catalyst. The offered catalyst shall have completed minimum one year of satisfactory operation within last fifteen (15) years (Note-1).
- 5.2.2 The reference unit for offered catalyst shall not be for a captive unit. This clause shall not be applicable for Indian technology providers.
- 5.2.3 The offered catalyst shall be a bulk hydro-treating catalyst. The reference unit for offered catalyst can be a Grass root, Brown field or debottlenecked unit.
- 5.2.4 The reference unit for offered catalyst must be commercial unit (Reference of pilot plant, laboratory scale plant, demonstration plant not accepted).
- 5.2.5 The offered catalyst shall have met sulphur content in product diesel not more than 10 PPMW in the reference unit.

- 5.2.6 The reference unit for offered catalyst shall have minimum 15 wt% cracked components in feed emanating from any Thermal/catalytic cracking unit other than hydroprocessing unit (Hydrocracking unit/Hydrotreating).

Bidder can provide Catalyst supplied by the bidder directly or through catalyst supplier / manufacturer, meeting the above criteria.

**Note-1:** Cut-off date of meeting the criteria will be reckoned as the last day of month previous to the one in which tender is floated.

### 5.3 FINANCIAL CRITERIA:

**Turnover:** Average Annual Turnover of the Bidder during last 03 financial years shall be minimum **INR 13.50 Crores** for Indigenous Bidders or **1.9 Million USD or 1.7 Million Euro** for Foreign Bidders based on the bidder audited financial results. The financial years ending as 31<sup>st</sup> March or 31<sup>st</sup> December (**depending on the accounting year of the bidder**).

**Net worth: The Net Worth of the Bidder in the immediate preceding financial year shall be positive.**

For meeting the Financial criteria, bidder shall submit with the bid the complete set of audited annual financial statements or a letter from the Statutory Auditor/Chartered Accountant (CA) (as per Annexure-IIE.1 to ITB) or a letter from the bidder duly certified by Statutory Auditor/Chartered Accountant (as per Annexure- IIE.2 to ITB) for the preceding 3 financial years.

The above financial details, as per Annexure-IIE.1 or IIE.2, shall be submitted without any reservation / qualification remarks. In case of any qualification remarks, complete booklet of audited annual financial statements along with auditor's report shall also be submitted with the bid.

**Note:** CA Certificate (CA not being an employee/Director and not having any interest in the bidder's company) is acceptable where audited accounts are not mandatory as per law of bidder's country and declaration in this regard is given by CA

In case, the last 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 financial years.

### 5.4 Documents to be submitted by Bidder:

- 5.4.1 Bidder should submit documentary evidence to support the references provided and fulfilling the BQC. The following are the minimum documents required.

#### Reference DHDT Unit

- The bidder shall ensure submission of complete information / documentation, (i.e. copies of scope of work, work orders from the clients for the qualifying work alongwith the completion/performance certificate issued by the client) and shall comply with the requirements of the bidder qualification criteria.
- Details of Reference Unit(s) including name, address, telephone numbers and email of contact person(s) for each reference unit.
- Relevant documents such as extracts of License Agreement and / or relevant work orders and/ or contract agreement with the Licensee(s) as a proof of holding Licensing rights. The extracts should include the following:

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- i. Cover sheet depicting name of project
  - ii. Licensor-Licensee definition
  - iii. Technology Definition
  - iv. Date of signing
  - v. Signature of Licensor-Licensee
- Communication from the Licensee(s) / Owner(s) to support claim for :
    - i. Date of Commissioning.
    - ii. Unit has completed operation of one year meeting desired operation.

**Reference units for Catalysts offered by bidder:**

- Details of the catalysts reference unit(s) including name, address, telephone number and email of contact person(s) for each reference unit.
- Communication from Licensee / Owner to support claim that the specified catalyst in reference unit has completed at least one year of operation within the last Fifteen (15) years during which the desired performance have been met.
- Relevant documents such as extracts of License Agreement and/ or relevant work orders and/ or contract agreement, etc. with the Licensee(s) as a proof of holding Licensing rights in catalyst reference unit(s).

NRL / JACOBS reserves the right to directly interact with the Bidder's clients to verify the relevant documentation and the Bidder will render assistance in facilitating the same including a site visit if required, All supporting documents pertaining to Bidder qualification criteria submitted by the Bidder shall be true copies, duly signed, dated and stamped by a Public Notary. Please note this requirement is not applicable to "Published Annual Reports".

Bidder shall furnish documentary evidence along with the Bid such as copies of Annual Reports and audited balance Sheets for last three years to establish Financial Criteria.

**Notes:**

- a. Experience of only the bidding entity shall be considered. A job executed by a bidder for its own plant/projects/ parent company shall not be considered as experience for the purpose of meeting requirement of experience criteria of the tender. Also jobs executed for Subsidiary / Fellow Subsidiary / Holding company shall not be considered as experience for the purpose of meeting experience criteria.
- b. NRL / JACOBS reserves the right to verify the correctness of the documentary evidence furnished by the bidder.
- c. The detail evaluation shall be carried out based on technical and commercial considerations on the documents submitted along with the bid. Jacob/NRL reserves the right to obtain from bidder, by correspondence/discussions, such clarifications and confirmations, which are required for preparing/completing bid analysis, complete in all respects.
- d. NRL / JACOBS reserves the right to reject any or all bids without assigning any reason.
- e. Bidder shall not be under liquidation, court receivership or similar proceedings.

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- f. NRL /JACOBS shall not be responsible for any expense incurred by the bidders in connection with the preparation and delivery of their bids, site visit and any other expenses incurred during bidding process.
  - g. Bidder shall enclose the list of documents submitted along with the offer in line with requirement of various clauses of this document.
  - h. 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.
  - i. In case a bidder (Parent Company) is having wholly owned subsidiaries but only a single consolidated annual report is prepared and audited which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the bidder certifying that separate annual report of bidder (without the financial data of subsidiaries) is not prepared and audited.
  - j. Further, in case a bidder is a subsidiary company and separate annual report of the bidder is not prepared & audited, but only a consolidated annual report of the Parent Company is available, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the parent company certifying that separate annual report of bidder is not prepared and audited. In case of a bidder being a subsidiary, separate Audited account is not prepared then a declaration with the financial credentials (Annual Turnover and Net worth) of the bidder certified by the Chief Financial Officer (CFO)/Chief Executive Officer (CEO)/Company Secretary/any Functional Director in the Board of Directors [in case of Limited Company (Private/Public)] shall be required to be submitted for meeting the Financial Criteria.
  - k. In case a Bidder is an **incorporated joint venture (JV)** of two or more companies, where a separate annual report of the JV is not separately published but only consolidated annual report of the JV Parent Company or Parent Companies respectively is available, such **consolidated annual report of the JV Parent company or any one of the JV Parent companies respectively**, shall be considered for the evaluation of the financial criteria.
  - l. In case bidder has signed Non-disclosure agreement (NDA) with their client for not disclosing the value of completed work & completion certificate is not issued by their client, bidder/ bid entities chief financial officer/ chief executive officer shall issue the certificate of declaration to above effect, that the value of completed work is above the BQC criteria of value of completed work and also submit the copy of NDA along with the bid.
  - m. The audited financial statement of the parent company of the bidding entity shall be acceptable (in case the bidding entity does not publish audited financial statement), provided that the bidding entity is majority (more than 50%) owned and controlled by the parent company directly or indirectly. To this effect, necessary documents to be submitted by the bidder.
  - n. In case the bidders are submitting the documents in a language other than English, proper English translation by recognized translators such as Indian consulate in the country of origin or the representative country's consulate in India or any accredited translating institute shall be accepted.



- o. In case, **it is not mandatory for a company (Bidding Entity)** to get their accounts audited as per the law of the country, then a declaration (as per Annexure-IIE.3 to ITB) to this effect along with the financial credentials (Annual Turnover and Net worth) issued by the Chief Financial Officer (CFO)/Chief Executive Officer (CEO)/Company Secretary/any Functional Director in the Board of Directors [in case of Limited Company (Private/Public)] shall be considered for evaluation of financial criteria

Bidder to furnish the Annexure-IIE.3 to ITB duly certified by their auditor without any modification / reservation / qualification remarks. In case of modification / reservation / qualification remarks, the declaration shall not be considered as the valid document for BQC evaluation purpose

In absence of certification by Auditor, Bidder to submit Tax returns filed by the Bidding Entity for collaborating with the financial data as per above mentioned declaration

- p. For meeting the financial criteria, in case of limited as well as press enquiries for Licensor selection or Client/ Licensor Mandatory bidder (irrespective of the value of enquiry), bidder shall submit with the bid the complete set of audited annual financial statements or a letter from the statutory auditor/ Chartered Accountant (CA) **(as per Annexure – IIE.1 to ITB)** or a letter from the bidder duly certified by statutory auditor/ Chartered Accountant **(as per Annexure – IIE.2 to ITB) for the preceding 3 financial years.**

The above financial details, as per **Annexure – IIE.1 or IIE.2**, shall be submitted without any reservation / qualification remarks. In case of any qualification remarks, complete booklet of audited annual financial statements along with auditor's report shall also be submitted with the bid.

**Note:** CA Certificate (CA not being an employee/Director and not having any interest in the bidder's company) is acceptable where audited accounts are not mandatory as per law of bidder's country (in line with the present system) and **declaration in this regard is given by CA.**

- q. **Authentication Process.**

Authentication process of BQC related credentials submitted by bidders shall be carried out as per **Annexure-I** to ITB. However, **requirement of such certification shall not be applicable to "Published Annual Financial Statements in English" if uploaded in e-procurement portal along with the bid or submitted as Original booklet.** In case of non-submission of Original booklet (hard copy), bidder is also required to provide link of their Company website in which the complete audited financial statements with auditor's report are published for verification.

In absence of requisite document, NRL / JACOBS reserves the right to reject the bid without making any reference to the bidder.

Bidders are required to sign and submit the Integrity Pact along with their bid. Further Bidders shall be required to furnish an Affidavit confirming that he is not involved in any case of transgression in terms of Integrity Pact as per the document provided as Annexure-IID to ITB. Non-Submission of Integrity Pact and Affidavit shall lead to not considering their bid for further evaluation.

## **6.0 HOLIDAY LISTING:**

Bidders serving holiday listing order issued (as on bid opening date) by NRL, JACOBS or any other Oil Public Sector Enterprises would not get qualified in this tender. A self-declaration to be submitted by bidder indicating that they are not on holiday list by NRL or any other Oil PSEs as on due date of bid submission anywhere in the country. Offers not accompanied with such

declaration shall make the bidders liable for rejection. Any wrong declaration in this context shall make the bidders liable for action under the holiday listing procedure.

## **7.0 PRE-BID MEETING**

Pre-bid Meeting shall be held at the address mentioned above. Bidders or their authorized representatives are requested to attend the Pre-Bid Meeting so that their queries, if any, related to the Bidding Document, Bidder's Qualification Criteria and Scope of Work can be addressed during the meeting.

The bidders are requested to send queries/clarifications, if any, as per Format enclosed in the bidding document through e-mail to reach the addressee as mentioned at Sl. 3.0 (h) of this NIT, on or before the date mentioned above. The clarifications shall be provided during the pre-bid meeting. Bidder shall send query in editable soft copy in the format included in the Bidding document through e-mail.

Bidders are required to participate in pre-bid meeting after going through the entire Bidding document along with BQC. Bidder shall attend with all technical and commercial issues on which they need clarification and also to ensure that they possess all supporting documents for meeting the BQC to get their queries clarified, if required, during the pre-bid meeting to avoid any post-Bid discussion/clarification on this issue. The clarifications provided during the pre-bid meeting shall be recorded and uploaded in the website in the form of a Corrigendum / Addendum, for information of all bidders.

Non-attendance of the pre-bid meeting shall not be a cause of disqualification of the Bidder.

In case any Bidder does not attend the pre-bid meeting, it shall be understood that the Bidder has a clear understanding of the BQC, scope, terms and conditions of the Bidding document and does not have any comment / deviation to the requirement of bidding document.

## **8.0 Earnest Money Deposit (EMD)**

EMD/Bid Security shall be required in all cases. Bids not accompanied with EMD shall be rejected and shall not be considered for further evaluation. EMD/Bid security shall be in INR (for Indian Bidder) or in Equivalent USD/Euro (For Foreign Bidder). However, in case of Foreign Licensor, EMD can also be submitted by Indian Counterpart of Foreign Licensor in INR on behalf of Foreign Licensor.

Bids must be accompanied with the Earnest Money Deposit (EMD). EMD shall be submitted in favour of "Numaligarh Refinery Limited" through NEFT or non-revocable Bank Guarantee (BG Format Enclosed as Annexure-IIN to ITB) on non-judicial stamp paper of value not less than INR 100/- and in the prescribed format enclosed with bidding document. EMD submitted in the form of BG shall be, from any Indian Scheduled bank which includes Indian branch of foreign bank recognized as scheduled bank by RBI and valid for 6 (six) months from the final bid due date. In case of extension in original bid validity by more than 15 days, the Bid Security validity shall be extended accordingly. Bids without the requisite EMD as mentioned above shall be rejected.

EMD shall be equally applicable for all bidders, including registered vendors if any, except in the case of bidders eligible for exemption under MSE Policy:

- i) Micro and Small Enterprises (MSEs) registered with District Industries Centers (DIC) or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation (NSIC) or Directorate of Handicraft and Handloom or MSEs who are having Udyog Aadhaar Memorandum or any other body specified by Ministry of Micro, Small and Medium Enterprises. On opening the un-priced bid, the certificate will be verified for registration and validity. If the bidder meets this requirement, their bid will be

processed further. If not, the bidder will be asked to submit EMD. In case the bidder does not submit the EMD within 07 (Seven) calendar days of NRL intimation, then their bid shall be rejected. The certificate shall be valid as on date of opening of un-priced bid.

Documents to be submitted by MSE's along with un-priced bid:

- a) Documentary evidence that the bidder is a Micro or Small Enterprises registered with District Industries Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or MSEs who are having Udyog Aadhaar Memorandum or any other body specified by Ministry of Micro, Small and Medium Enterprises.
- b) The above document submitted by the bidder shall be duly certified (in original) by Notary or the Statutory Auditor of the bidder or a practicing Chartered Accountant (not being an employee or a Director or not having any interest in the bidder's company/firm) where audited accounts are not mandatory as per law or duly notarized by any Notary Public in the bidder's country.

In case an MSE bidder has submitted NSIC Certificate / Udyog Aadhaar Memorandum but authenticated document is not submitted in Original Scanned, the same can be accepted provided a valid MSE Certification is available on Government portal ([www.nsicspronline.com](http://www.nsicspronline.com)) or Government Udyog Aadhaar portal.

- c) If the bidder does not provide the appropriate document or any evidence to substantiate the above, then it will be presumed that they do not qualify for any preference admissible in the Public Procurement Policy, 2012.
- There will be no waiver of EMD for Public Sector Undertaking of Central/State Government Undertakings. EMD shall be valid for a period of 06 (Six) months from the final bid due date for submission of Bids.
  - Scanned copy of EMD shall be uploaded in designated place in the above-mentioned Govt. of India CPP Portal. Swift message/cheque/Cash shall not be acceptable. In case, bidder fails to upload scanned copy of EMD on CPP Portal by the bid due date & time, such bid shall not be considered for evaluation.
  - EMD/Bid security, in addition to uploading on the above-mentioned Govt. of India CPP Portal along with the bid, shall also be submitted in original physical form within the final bid due date & time to the following address:

**Mr. Jyoti Bhusan Sarma**  
**DGM (Project Commercial)**  
Numaligarh Refinery Limited  
Numaligarh – 785699, Assam

A copy of BG along with proof of dispatch to be uploaded along with "Prequalification Bid". Bids without EMD are liable to be rejected.

- In case the EMD/Bid Security in original physical form does not reach NRL within the final bid due date & time, his bid shall be rejected, notwithstanding the fact that a copy of the same was earlier uploaded by the bidder.
- EMD can be submitted through electronic fund transfer as per Instructions for **ONLINE EMD** Submission attached as Annexures to ITB.
- EMD of unsuccessful bidders shall be released after issuance of FOA/LOA/contract Order against this tender to the successful bidder. However, in case of successful bidder the EMD

shall be released on receipt of performance bank guarantee.

- Forfeiture of EMD - A tenderer who has submitted their bid shall not be permitted to withdraw the bid, notwithstanding that the bid(s) has / have not yet been opened/ finalized. A tenderer who purports to withdraw their offer after submission, within the validity of the offer shall be liable to have their offer rejected and their EMD forfeited/ encashed.
- The Earnest Money deposited by successful bidder shall be forfeited if the successful bidder fails to honour the offer terms prior to ordering and Contractual terms after issuance of FOA/LOA/ contract Order.
- Offers received without scan copy of EMD (BG/Bank transfer details) in the e-tender and physically not received within 7 days after "Prequalification Bid" opening date (as indicated in the NIT or corrigendum thereof) are liable to be rejected.
- EMD shall be valid for a period of 6 (Six) Months from the due date .

#### Additional instructions for Foreign Bidders:

Foreign bidders can submit EMD in Euro or USD only. Details are as follows;

1. EMD amount (net) in USD / EURO.
2. EMD shall be paid by BG.
3. In case of BG, the validity of BG shall be 06 (Six) months from the final bid due date for submission of Bids.
4. Bank Guarantee from foreign bank is acceptable only if the same is countersigned by their Indian branches (provided the Indian branch of the foreign bank is recognized Scheduled Commercial Bank by Reserve Bank of India) or any Indian Scheduled Bank.

#### CURRENCY OF QUOTE

1. Foreign Bidders can quote in INR or USD or EURO only.
2. Currency once quoted shall not be allowed to change.
3. Foreign bidder to indicate the currency in UNPRICED BID as well as PRICE BID and ensure that they quote the same currency in UNPRICE BID as well as PRICED BID.
4. No discrepancy or ambiguity in quoted currency shall be allowed.
5. In case of any discrepancy or ambiguity in quoted currency, NRL / JACOBS reserves the right to discard the offer and not consider the offer for further evaluation.

#### **9.0 Power of attorney**

The Bidder shall upload the Power of Attorney with the un-priced bid in favor of person(s) signing the bid that such person(s) is/are authorized to sign the bid on behalf of the bidder and any consequence resulting due to such signing shall be binding on the bidder.

#### **10.0 SUBMISSION OF BID & IT'S VALIDITY**

E-Bids are required to be submitted only through Govt. of India Central Public Procurement Portal <https://eprocure.gov.in/eprocure/cppp>. In the event of failure in bidder's connectivity with tender Portal during the last few hours, bidder is likely to miss the deadline for bid submission. Due date extension request due to above reason may not be entertained.

**Notice Inviting  
Tender**

Physical Bids / Offers or Bids through any other mode shall not be accepted. The Offers submitted through e-tendering system, as above shall only be considered for evaluation and ordering. However, NRL/JACOBS may request bidders to submit the hard copies of bids also for reference purpose

Bidders to refer NRL e-tendering methodology provided in the Bidding Document. Bidders are requested to get acquainted with the E-Tendering System in advance and obtain/seek clarifications, if any from NRL Portal Helpdesk.

Validity of bid shall be 6 months from the date of final tender opening.

NRL / JACOBS reserves the right to assess bidder's capability to execute this work by using in-house information and taking into account various aspects such as past performance during evaluation of bids.

NRL / JACOBS will not be responsible or liable for cost incurred in preparation, submission & delivery of bids, regardless of the conduct or outcome of the bidding process.

Bidders may view the Bid opening through NRL E-tender portal.

NRL / JACOBS reserves the right to reject any or all the bids received or annul the bidding process at any time without assigning any reason, whatsoever.

For detailed specifications, terms and conditions and other details, refer complete Bidding Document.

For and on behalf of Numaligarh Refinery Ltd.

Puneet Khanna  
Head of Supply Management  
Jacobs Engineering India Private Limited