

**OIL INDIA LIMITED**  
(A Government of India Enterprise)  
P.O. Duliajan, Pin – 786602  
Dist-Dibrugarh, Assam

**CORRIGENDUM NO. 3 DATED 03.04.2019 TO E-TENDER NO. CDG0680P19 for 'Hiring of Integrated Service of Modular Injection Facility & Supply of Chemicals for a Pilot Polymer Flooding EOR Project in Nahorkatiya Field of Oil India Limited for a period of 02 (Two) years with a provision of extension by another 01 (One) year'.**

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This Corrigendum is issued to notify the following changes:

1. Extension of dates:
  - Last Date of Bid Submission extended up to **18.04.2019 (11:00 Hrs IST)**
  - Last Date of Bid Opening extended up to **18.04.2019 (14:00 Hrs IST)**
  
2. The following document has been uploaded in the “Amendments” folder in E-portal as replacement of the existing:
  - i. BEC/BRC (Revised)

All other terms and conditions of the Bid Document remain unchanged. Details can be viewed at [www.oil-india.com](http://www.oil-india.com).

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**1.0 BID EVALUATION CRITERIA**

The bid shall conform generally to the specifications and terms and conditions given in this bid document. Bids shall be rejected in case the services offered do not conform to required parameters stipulated in the technical specifications. Notwithstanding the general conformity of the bids to the stipulated specifications, the following requirements will have to be particularly met by the Bidders without which the same will be considered as non-responsive and rejected. All the documents related to BRC must be submitted along with the Techno-commercial Bid.

**1.1 TECHNICAL CRITERIA**

The following minimum criteria should be met by the Bidder failing which their bid/offer will be rejected:

1.1.1 Bid should be complete covering all the Scope of Work laid down in tender document and should conform to the technical specifications indicated in the bid documents, duly supported with technical catalogues/literatures wherever required. Incomplete and non-conforming bids will be rejected outright.

**1.1.2 Eligibility and experience of the bidder:**

The Contractor/Service Provider/bidder must fulfil the following minimum pre-qualifying criteria for Polymer Flooding Services:

- i) Bidder shall submit a representative (sealed) sample of quantity 01 Kg of polymer intended to be supplied for this project along with a stamped quality certificate demonstrating compliance of the specifications as per Annexure-2 of Section-II 'Schedule of Works' as part of the technical bid. The parameters mentioned in Annexure-2 shall also be tested on the supplied sample in OIL's own laboratory and experimental results shall have to meet the values set for the perimeters. Bidder shall ensure that there is no damage to the sample container during transit. Bids without sample will not be considered for evaluation and such bid will be rejected outright.
- ii) The bidder shall have experience in carrying out of at least 01 (One) 'SIMILAR' work of minimum of value **Rs. 10 Crore (or 1.39 million USD)** under single contract for Oil & Gas Industries in previous 07 (Seven) years to be reckoned from the original bid closing date.
- iii) The bidder must also have the experience of:
  - a) **Installation** of skid based/fixed polymer injection facilities for the job as mentioned in the **1.1.2 ii) above.**
  - b) **Operation and Maintenance** of polymer injection facilities with minimum pumping capacity of 400 m<sup>3</sup>/day of polymer for EOR purpose at least cumulative period of 02 (Two) years (any overlapping periods in contracts

shall be counted as single period only) for oil/gas industry during the last 07 (Seven) years from the original date of techno-commercial bid opening.

**Notes to BEC Clause 1.1.2 ii) and iii) above:**

- a. “Similar nature of work(s)” mentioned in Para 1.1.2 ii) means continuous injection of polymer solution into reservoir for EOR purpose with minimum pumping capacity of 400 m<sup>3</sup>/day for 02 (Two) years using their own injection set up along with all the required facilities as mentioned in the scope of work of this tender.

For proof of requisite Experience (refer clause **Notes to BEC Clause 1.1.2 ii) and iii) above, a.)**, the bidder shall submit copies of contracts with the detail scope, along with relevant documentary evidences in respect of satisfactory execution of the contract and execution of requisite value, in the form of copies of any of the documents (indicating respective contract number and type of services), such as:

- i. Satisfactory completion/performance report  
or
  - ii. Proof of settlement/release of final payment against the contract  
or
  - iii. Any other documentary evidence that can substantiate the satisfactory execution of the contracts with requisite value as cited above.
- b. Experience document should be issued and signed by the authorized signatory of the client company where the work has been executed. The client company shall be a separate entity from the bidder and/or supporting company. Experience certificate from a company which is a subsidiary/co-subsiary/sister concern of the bidder and/or supporting company shall not be accepted. The bidder has to submit an undertaking in this regard.

**1.2 FINANCIAL CRITERIA**

1.2.1 Annual Financial Turnover of the bidder during any of preceding 03 (Three) financial/accounting years from the original bid closing date should be at least **Rs. 10 Crore (or 1.39 million USD)**.

1.2.2 Net worth of the bidder must be Positive for the preceding financial/accounting year.

**Notes to BEC Clause 1.2 above:**

- a. For proof of Annual Turnover & Net worth (refer clause 1.2.1 and 1.2.2 above), any one of the following documents/photocopies must be submitted along with the bid:

- (i) Audited Balance Sheet along with Profit & Loss account.

**OR**

- (ii) A certificate issued by a practicing Chartered/Cost Accountant (with Membership Number and Firm Registration Number) as per format prescribed in **Annexure-X**.
- b. Considering the time required for preparation of Financial Statements, if the last date of preceding financial/accounting year falls within the preceding 06 (Six) months reckoned from the original bid closing date and the Financial Statements of the preceding financial/accounting year are not available with the bidder, then the financial turnover of the previous three financial/accounting years excluding the preceding financial/accounting year will be considered. In such cases, the Net worth of the previous financial/accounting year excluding the preceding financial/accounting year will be considered. However, the bidder has to submit an affidavit/undertaking certifying that 'the balance sheet/Financial Statements for the financial year 2017-18 has not been audited as on the Original Bid closing date.
- c. In case the bidder is a Central Govt. Organization/PSU/State Govt. Organization/Semi-State Govt. Organization or any other Central/State Govt. Undertaking, where the auditor is appointed only after the approval of Comptroller and Auditor General of India and the Central Government, their certificates may be accepted even though FRN is not available. However, bidder to provide documentary evidence for the same certifying the Annual turnover & Net worth.
- d. In case the bidder is a subsidiary company (should be a 100% subsidiary of the parent/ultimate parent/holding company) who does not meet financial criteria by itself and submits bid based on the financial strength of its parent/ultimate parent/holding company, then following documents need to be submitted along with the technical bid:
- (i) Audited Balance Sheet and Profit Loss Account of the parent/ultimate parent/holding company.
  - (ii) Corporate Guarantee of parent/ultimate parent/Holding company (as per format enclosed as **Annexure-VI(c)**) by the authorized officials.
  - (iii) Documents to substantiate that the bidder is a 100% subsidiary company of the parent/ultimate/holding parent company.
  - (iv) Documents proving that Net worth of the parent/ultimate parent company is positive for the accounting year preceding the bid closing date”.

### **1.3 BIDDER WITH SUPPORTING COMPANY:**

The bidder may submit the bid along with a Supporting Company wherein the Supporting company may be (a) the Parent Company of the bidder (Subsidiary Company) (b) the Technical Collaborator of the bidder.

a) **ELIGIBILITY CRITERIA IN CASE BIDS ARE SUBMITTED ON THE BASIS OF EXPERIENCE OF THE PARENT/SUBSIDIARY COMPANY:**

Offers of those bidders who themselves do not meet the experience criteria as stipulated in Clause Nos. **1.1.2 i), ii) and iii)** can also be considered provided the Bidder is a subsidiary company of the parent company [**supporting company**] in which the parent company has 100% stake **or** parent company can also be considered on the strength of its 100% subsidiary [**supporting company**]. However, the parent/subsidiary company of the Bidder should on its own meet the experience as stipulated in the BEC and should not rely for meeting the experience criteria on its sister subsidiary/co-subsubsidiary company or through any other arrangement like Technical Collaboration agreement. In that case as the subsidiary company is dependent upon the experience of the parent company or vice-versa with a view to ensure commitment and involvement of the parent/subsidiary company for successful execution of the contract, the participating bidder should enclose an Agreement (as per format enclosed as **Annexure-VI (a)**) between the parent and the subsidiary company or vice-versa and Parent/Subsidiary Guarantee (as per format enclosed as **Annexure-VI (b)**) from the parent/subsidiary company to OIL for fulfilling the obligation under the Agreement, along with the Technical bid.

b) **In case Bid is submitted on the basis of the Technical Experience of Sister Subsidiary/Co-Subsidiary Company:** Offers of those bidders who themselves do not meet the technical experience criteria stipulated in **1.1.2 i), ii) and iii)** can also be considered based on the experience of their Sister Subsidiary/Co-Subsidiary company within the ultimate parent/holding company subject to meeting the following conditions:

- (i) Provided that the **sister subsidiary/co-subsubsidiary [supporting company]** company and the bidding company are both **either directly owned 100% subsidiaries of an ultimate parent/holding company or 100% owned through intermediate 100% subsidiaries of an ultimate parent /holding company. The Bidder must submit duly notarized valid document(s) establishing the legal relation amongst sister/co-subsubsidiary, bidder and the ultimate Parent Company to the full satisfaction of the Company with detail share holding pattern. The Company reserves the right to reject a bid if the documents are not found sufficient or satisfactory or proper to establish the required criteria of 100% subsidiary.**
- (ii) Provided that the sister subsidiary/co-subsubsidiary company on its own meets the technical experience criteria laid down in Clause **1.1.2 i), ii), iii)** and not through any other arrangement like technical collaboration etc.
- (iii) Provided that with a view to ensure commitment and involvement of the ultimate parent/holding company for successful execution of the contract, the participating bidder must submit an agreement (**ANNEXURE-XIII**), as

per format furnished, between them, their ultimate parent/holding company, along with the technical bid.

In the situations mentioned above **a)** and **b)**, following conditions are required to be fulfilled/documents to be submitted:

- (i) Undertaking by the subsidiary/co-subsiary **[supporting company]** company to provide a Performance Security (as per format and instructions enclosed at **Annexure-VI (b)**), equivalent to 50% of the value of the Performance Security which is to be submitted by the bidding company, in case the supported bidding company is the successful bidder. In cases where foreign based supporting company does not have Permanent Establishment in India, the bidding company can furnish Performance Security for an amount which is sum of Performance Security amount to be submitted by the bidder and Performance Security amount required to be submitted by the supporting/subsidiary/co-subsiary company. In such case bidding company shall furnish an undertaking that their foreign based supporting/subsidiary/co-subsiary company is not having any Permanent Establishment in India in terms of Income Tax Act of India.
- (ii) Undertaking from the subsidiary/co-subsiary **[supporting company]** company to the effect that in addition to invoking the Performance Security submitted by the contractor, the Performance Security provided by supporting/subsidiary/co-subsiary company shall be invoked by OIL due to non-performance of the contractor.

Note: In case subsidiary/co-subsiary **[supporting company]** company fails to submit Performance Bank Guarantee as per (i) above, Bid Security submitted by the bidder shall be forfeited.

**NOTES: OIL reserves the right to ask for any Original or other relevant document to verify the certification.**

**c) ELIGIBILITY CRITERIA IN CASE BIDS ARE SUBMITTED WITH THE SUPPORT OF TECHNICAL COLLABORATOR**

In case the bidder does not meet the experience criteria as per Clause No. **1.1.2 i), ii)** and **iii)** above, may also submit bid on the strength of Technical Collaborator provided all the following criteria are complied:

- i) The Technical Collaborator shall fulfil all the technical criteria mentioned in the SOW. The Technical Collaborator at its own shall meet the eligibility and experience criteria as per Clause No. **1.1.2 i) ii)** and **iii)**. The experience of the Technical Collaborator partnering with other firms will not be qualified. In this regard, the documents establishing experience of the Technical Collaborator shall be submitted as per '**Notes to BEC Clause 1.1.2 ii) and iii) above, a)**'.

- ii) However, the primary bidder shall meet the financial criteria Clause No. 1.2.
- iii) Bidders quoting based on technical collaboration, shall submit a Memorandum of Understanding (MOU)/Agreement with their technical collaborator **clearly indicating their roles** and responsibilities **under the scope of work** which shall be addressed to OIL and shall remain valid and binding for the contract period under this tender. Any party who is extending technical support by way of entering into technical collaboration with another party shall not be allowed to submit an independent bid and such bids shall be rejected straightway. Further, all bids from parties with technical support from same principal will also be rejected.

**1.4** Bidders quoting on the technical strength of Technical collaborator/Subsidiary /Parent company experience/(who qualifies the Technical requirement as per the tender qualifying criteria) should provide the respective services including key personnel for a minimum duration of 50% of the Contract period during execution of the contract. A declaration as per **Annexure-VII** in this respect to be submitted as part of technical bid.

**1.6 MOBILIZATION TIME:** The Bidder/Contractor/Service Provider should be in a position to start mobilization of their resources at site to take up the assignment in the event of a contract within 150 (One Hundred Fifty) days from the date of issue of mobilization Notice after Issuance of Letter of Award by Company. The Bidder/Contractor/Service Provider is required to submit a declaration in this regard.

## **2.0 COMMERCIAL EVALUATION CRITERIA:**

2.1 Bids shall be submitted under Single Stage Two Bid System i.e., Technical Bid and Price Bid separately in the OIL's E-Tender portal. The Technical Bid is to be uploaded as per Scope of Work & Technical Specification of the tender in **"Technical RFx Response" Tab** and Price Bid as per **Proforma-B** uploaded in the **"Notes & Attachments" Tab**. Bids shall be rejected outright if the prices are indicated in the technical bids. Bids not conforming to this two bid system shall be rejected outright.

2.2 Bidder shall offer firm prices. Price quoted by the successful bidder must remain firm during the execution of the contract and not subject to variation on any account.

2.3 Bids should be valid for 120 days from the bid closing date. Bids with shorter validity will be rejected as being non-responsive.

2.4 Bid Security in Original (Rs. 42,50,000.00/ or USD 59,000.00) shall be furnished as a part of the Technical Bid and shall reach OIL's CGM-Contract's office at Duliajan on or before 12.45 Hrs (IST) on the bid closing date. A scanned copy of the bid security shall however be uploaded in OIL's E-Procurement portal along with the Technical Bid. The amount of Bid Security shall be as specified in the

Forwarding Letter of the Bid Document. Bid without proper & valid Bid Security will be rejected.

- 2.5 The Integrity Pact must be uploaded in OIL's E-Procurement portal along with the Technical Bid digitally signed by the same signatory who digitally signed the Bid i.e., who is duly authorized to sign the Bid. If any bidder refuses to sign Integrity Pact or declines to submit the Integrity Pact, their bid will be rejected.
- 2.6 Bids received through the e-procurement portal shall only be accepted. Bids received in any other form shall not be accepted.
- 2.7 Bid can only be submitted in the name of the bidder in whose name the User ID and Password have been issued. Unsolicited bids will not be considered and will be straightway rejected.
- 2.8 Any physical documents wherever called for, submitted by bidders shall contain no interlineations, white fluid erasures or overwriting except as necessary to correct errors made by the Bidder, in which case such correction shall be initialled by the person or persons who has/have digitally signed the Bid.
- 2.9 Any Bid containing false statement will be rejected.
- 2.10 Bidders must quote clearly and strictly in accordance with the price schedule outlined in "Price Bid Format" of Bid Document, otherwise the Bid will be summarily rejected.
- 2.10 Bidders shall quote directly and not through their Agent/Representative /Retainer/Associate in India. Bids submitted by Indian Agent/Representative /Retainer/Associate on behalf of their foreign principals will not be considered and will be rejected straightway. One Indian Agent/Representative/Retainer/ Associate cannot represent more than one foreign principal.
- 2.11 Bidder must accept and comply with the following clauses as given in the Bid Document in toto failing which bid will be rejected:
  - i) Performance Security Clause
  - ii) Taxes Clause
  - iii) Insurance Clause
  - iv) Force Majeure Clause
  - v) Termination Clause
  - vi) Arbitration Clause
  - vii) Liability Clause
  - viii) Withholding Clause
  - ix) Liquidated damages Clause
  - x) Firm price
  - xi) EMD/Bid bond
  - xii) Integrity Pact



### **3.0 PRICE EVALUATION CRITERIA:**

The bids conforming to the technical specifications, terms and conditions stipulated in the bidding document and considered to be responsive after subjected to Bid Evaluation Criteria will be considered for further evaluation as per the Price Evaluation Criteria given below:

- 3.1** If there is any discrepancy between the unit price and the total price, the unit price will prevail and the total price shall be corrected. Similarly, if there is any discrepancy between words and figure, the amounts in words shall prevail and will be adopted for evaluation.
- 3.2** For conversion of foreign currency into Indian currency for evaluation of Bids, B.C. selling (Market) rate declared by State Bank of India, one day prior to the date of priced bid opening shall be considered. However, if the time lag between the opening of the bids and final decision exceeds 03 (Three) months, then B.C. Selling(Market) rate of exchange declared by SBI on the date prior to the date of final decision shall be adopted for conversion and evaluation.
- 3.3** The contract will be signed with successful bidder for the required services as per 'Scope of Work' of the IFB.
- 3.4** The bidders must quote their charges/rates in the manner as called for vide "Schedule of Rates" under **Section - IV** and the summarized price schedule format vide enclosed **Proforma -B**.
- 3.5** The quantities shown against each item in the "Price Bid Format (i.e. in Proforma-B)" shall be considered for the purpose of Bid Evaluation. It is, however, to be clearly understood that the assumptions made in respect of the number of days/parameters for various operations are only for the purpose of evaluation of the bid and the Contractor will be paid on the basis of the actual number of days/parameter, as the case may be.
- 3.6** To ascertain the inter-se-ranking, the comparison of the responsive bids will be made subject to loading for any deviation. Commercial Bids shall be evaluated taking into account the rates quoted in the **Price Bid Format** as per 'Proforma-B'.

### **4.0 GENERAL:**

- 4.1** In case bidder takes exception to any clause of bid document not covered under BEC, then the Company has the discretion to load or reject the offer on account of such exception if the bidder does not withdraw/modify the deviation when/as advised by company. The loading so done by the Company will be final and binding on the bidders.
- 4.2** To ascertain the substantial responsiveness of the Bid the Company reserves the right to ask the bidder for clarification in respect of clauses covered

under BEC also and such clarifications fulfilling the BEC clauses in toto must be received on or before the deadline given by the Company, failing which the offer will be summarily rejected.

**4.3** If any of the clauses in the BEC contradict with other clauses of the Bid Document elsewhere, then the clauses in the BEC shall prevail.

**5.0** **CUSTOMS DUTY:** The Tools and the Services under this Contract shall be carried out for petroleum operation under nominated blocks or NELP/other eligible blocks and therefore, Customs Duty is not payable as per the policy of the Govt. of India. Bidders should take note of the same while quoting. No customs duty is therefore considered for evaluation.

**5.1** In terms of Sl. No. 404 of the Customs Notification No.50/2017-Cus dated 30.06.2017, imports of the items specified in List 33 of the Notification are subject to levy of concessional rate of customs duty @5% (BCD Nil & IGST @5%) subject to conditions specified therein (Condition No. 48). However, this is subject to change as per Government guidelines and the provisions ruling at the time of tender closing will be applicable.

**5.2** Similarly, the domestic supply of such goods would attract 5% GST (i.e. IGST or CGST & SGST/UTSGT) on submission of EC in terms of GST Notification No. 03/2017.

**6.0** **PURCHASE PREFERENCE CLAUSE:**

Purchase Preference to Micro and Small Enterprises registered with District Industry Centres 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 any other body specified by Ministry of MSME.

**6.1** In case participating MSEs quote price within price band of L1+15%, such MSE shall be considered for award of contract by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE.

**6.2** In case of more than one such MSE qualifying for 15% purchase preference, the contract shall be awarded to lowest eligible MSE amongst the MSEs qualifying for 15% purchase preference.

**6.3** In case any part of the work is sub-contracted to a Micro or Small Enterprise as per contract conditions then the contractor shall provide complete details (i.e. name of the subcontractor, value of sub-contacted work, copy of valid registration certificate etc.) of the sub-contractor to OIL.

**6.4** **DOCUMENTATION REQUIRED TO BE SUBMITTED BY MSEs:**

Copy of valid Registration Certificate, if bidder is a Micro or Small Enterprises (MSE) registered with District Industry Centres 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 any other body specified by Ministry of MSME. The Registration Certificate should clearly indicate the monetary limit, if any and the items for which bidder are registered with any of the aforesaid agencies. In case bidding MSE is owned by Schedule Caste or Schedule Tribe entrepreneur, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST entrepreneur should also be enclosed.

**6.5 Purchase preference Policy (linked with Local Content) (PP-LC)**

**6.6.1 Purchase preference policy-linked with Local Content (PP - LC) notified vide letter no. O-27011/44/2015-ONG-II/FP dated 25.04.2017 of MoP&NG and subsequent amendments, if any shall be applicable in this tender (*Annexure-XII enclosed*).**

**6.6.2** Bidders seeking benefits, under Purchase Preference Policy (linked with Local Content) (PP-LC) shall have to comply with all the provisions specified at clause No. 37.0 of ITB and shall have to submit all undertakings/documents applicable for this policy.

**7.0 COMPLIANCE OF THE COMPETITION ACT, 2002:** The bidder shall strictly comply with the provisions of the Competition Act, 2002, more particularly, Section-3 of the Act. Any violation the provisions of the Act shall attract penal action under the Act.

**8.0 CHECKLIST FOR BEC:** This is enclosed as *Annexure- A to BEC*.

**END OF BEC**