

CORRIGENDUM No.1 dated 27.03.2024

This Corrigendum No. 1 dated 27.03.2024 to IFB No. CD15861P24 for "**Hiring services for Boring & Sinking of Deep Tube Wells by using Mechanized Drilling Rig at various locations of OIL in Assam & Arunachal Pradesh along with supply of materials**" is issued to notify the following:

- (1) To read the IFB No./E-Tender No. under Clause No. 2.0 (i) of the Forwarding letter as **CDI5861P24** in place of the existing.
- (2) To read the bid validity as **120 (One Hundred Twenty) days from the bid opening date** in place of the existing wherever appeared in the tender. The revised Bid Form (Proforma – I) and the Technical Evaluation Sheet for BEC-BRC have been attached.
- (3) To read the EMD validity expiry date as **29.09.2024** in place of the existing wherever appeared in the tender.

The amendment mentioned herein shall prevail over the contradictory clauses in the NIT. All others terms and conditions of the Bid Document remain unchanged. Details can be viewed at www.oil-india.com.



Sr. Officer – Contracts (S)

BID FORM

To
M/s Oil India Limited,
P.O. Duliajan, Assam, India

Sub: IFB No. CDI5861P24

Gentlemen,

Having examined the General and Special Conditions of Contract and the Terms of Reference including all attachments thereto, the receipt of which is hereby duly acknowledged, we the undersigned offer to perform the work/services in conformity with the said conditions of Contract and Terms of Reference for the sum quoted in the Price Bid Format or such other sums as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Bid.

We undertake, if our Bid is accepted, to commence the work as per the terms & conditions set out in the subject tender.

If our Bid is accepted, we will submit the Performance Security Deposit as specified in the tender document for the due performance of the Contract.

We agree to abide by this Bid for a period of **120 (One Hundred and Twenty) days** from the date of bid opening and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof in your notification of award shall constitute a binding Contract between us.

We understand that you are not bound to accept the lowest or any Bid you may receive.

Dated this _____ day of _____ 2024.

Authorised Person's Signature: _____

Name: _____

Designation: _____

Seal of the Bidder:

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| Sl. No. | Clause No of BEC/BRC | Description | Bidders Remarks (Complied / Not Complied / Deviation) | Bidder to indicate the following to support the remarks/ compliance | |
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| | | | | Name of File as uploaded in E-Tender portal | Relevant Page No. of the file |
| 1.1 <u>ELIGIBILITY CRITERIA</u> | | | | | |
| 1 | 1.1 | <p>The bidder must be incorporated/constituted in India and must maintain equal to or more than 20% local content (LC) for the offered services to be eligible to bid against this tender.</p> <p>Regarding calculation of local content and submission of documents during bidding & execution of contracts, provision of Purchase preference under Public Procurement (Preference to Make in India) Order, 2017 of Department for Promotion of Industry and Internal Trade (DPIIT), Govt. of India and as amended time to time with modifications as notified vide MoPNG Order No. FP-20013/2/2017-FP-PNG-Part (4) (E-41432) dated 26th April 2022 (including subsequent amendments thereof, if any) shall be applicable.</p> <p>If such local content is not maintained during execution of contract, OIL reserves the right to invoke the Performance Securities submitted by the bidding and supporting companies, in addition to resorting to other options as may be deemed appropriate.</p> <p>Whether or not the bidders want to avail PPP-MII benefit against this tender, it is mandatory for them to meet the following at the bidding stage:</p> | | | |

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| | | <p>(a) Without specifying the unit rates and bid amount in the technical bid, the bidder must specify the percentage (%) of local content in their bid as per format prescribed in PROFORMA-XIII (duly signed & sealed by the Power of Attorney holder), without which the bid may be rejected being non-compliant. Such undertaking shall become a part of the contract, if awarded.</p> <p>(b) Alongwith the technical bid, bidder must submit a copy of their Certificate of Incorporation/Registration or any other valid document(s) which substantially establishes its constitution in India.</p> | | | |
| 1.2 <u>TECHNICAL EVALUATION CRITERIA</u> | | | | | |
| 2 | 1.2.1 | Bidder must have experience of successfully completing at least (01) one 'SIMILAR WORK' under a single contract only during the last 07 (Seven) years reckoned from the original bid closing date with PSUs/Central Government/State Government Organization/Public Limited Company. | | | |

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| <p align="center">3</p> | <p align="center">1.2.2</p> | <p>Bidder must have fully mechanized truck mounted drilling rig in their name for execution of the required job. As a proof, the bidder must submit self-attested copies of the following:</p> <p>(i) Sale Certificate / Purchase Invoice / any other valid document for establishing ownership of Fully Mechanized Truck Mounted Drilling Rig.</p> <p>(ii) Valid Registration certificate of the Vehicle on which Fully Mechanized Rig has been installed.</p> <p>(iii) An undertaking that the Truck mounted Drilling Rig shall be of adequate capacity and fit for Boring & Sinking of Deep Tube Well in OIL's Operational areas.</p> <p>Note: Bidders who do not have rig on their own name can also participate in the tender with hired rig. In case, the offered rig is hired from other sources, the bidder must submit a duly notarized NOC (No Objection Certificate) from the owner of the rig in addition to the aforesaid documents:</p> | | | |
| <p align="center">4</p> | <p>Notes to BEC Clause 1.2.1 above:</p> | <p>A. " SIMILAR WORK " mentioned in Clause No. 1.2.1 above means "Experience in boring & sinking of Deep Tube wells up to a minimum depth of 120 meter by mechanized drilling rig".</p> | | | |

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| | | <p>B. Proof of requisite Experience, viz. award and subsequent successful execution/completion of 'SIMILAR WORK' (refer Clause no. 1.2.1 above), must be substantiated by submission of the following documents along with the bid:</p> <p>(i) Contract document/ Letter of Intent (LOI)/Letter of Award (LOA)/ Work Order showing detailed scope of work in line with Clause 1.2.1 above, AND (ii) Job Completion Certificate showing:</p> <p>(a) Gross value of job/quantity done (b) Nature of job done and Work order no. / Contract no. (c) Contract period and date of completion OR SES (Service Entry Sheet) / Certificate of Payment (COP) issued by the company indicating the following:</p> <p>(a) Work order no. / Contract no. (b) Gross value of jobs/quantities done (c) Period of Service (d) Nature of Service</p> | | | |
| | | <p>C. Only Letter of Intent (LOI)/Letter of Award (LOA), or Work Order(s) are not acceptable as evidence.</p> | | | |
| | | <p>D. In case requisite experience is against OIL's Contract, bidder shall only be required to categorically specify OIL's Contract Number and date.</p> | | | |

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| | <p>E. Mere award of contract(s) will not be counted towards experience. Successful completion of the awarded contract(s) to the extent of volume & value, as stipulated under Clause No. 1.2.1 will only be treated as acceptable experience.</p> | | | |
| | <p>F. Following work experience will also be taken into consideration:</p> <p>(a) If the prospective bidder is executing ‘SIMILAR WORK’ which is still running and the contract value/quantity executed prior to original bid closing date is equal to or more than the minimum prescribed value in the BEC.</p> <p>(b) In case the start date of the requisite experience is beyond the prescribed 07 (seven) years reckoned from the original bid closing date but completion is within the prescribed 07 (seven) years reckoned from the original bid closing date.</p> <p>(c) If the prospective bidder has executed a contract in which ‘SIMILAR WORK’ is a component of the contract.</p> <ul style="list-style-type: none"> • In case the document submitted as per Para B above, are not sufficient to establish the value/quantity/period of the ‘SIMILAR WORK’ against Para F (a), (b) & (c) above the bidder shall also have to submit the breakup of the works executed under such contract(s) clearly indicating the value / quantity / period of ‘SIMILAR WORK’ which should be certified by the end user or a certificate issued by a practicing Chartered / Cost Accountant Firm (with Membership Number & Firm Registration Number). | | | |

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| | | G. Experience of executing ' SIMILAR WORK ' through 'sub-contracting' shall not be considered for evaluation. | | | |
| | | H. ' SIMILAR WORK ' executed by a bidder for its own organization / subsidiary cannot be considered as experience for the purpose of meeting BEC. | | | |
| | | I. Any Bidder, if participated in the tender as Joint Venture, Consortium and through any other arrangement like MOU with another party, such offers shall not be considered for evaluation. | | | |
| 1.3 <u>FINANCIAL EVALUATION CRITERIA</u> | | | | | |
| 5 | 1.3.1 | <p>Annual Financial Turnover of the bidder in any of preceding 03 (three) financial years, reckoned from the original bid closing date should be ₹ 18,46,600 (Eighteen Lakh Forty-Six Thousand Six Hundred) only.</p> <p>[Annual Financial Turnover of the bidder from operations shall mean: "Aggregate value of the realisation of amount made from the sale, supply or distribution of goods or on account of services rendered, or both, by the company (bidder) during a financial year" as per the Companies Act, 2013 Section 2 (91).]</p> | | | |

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| <p align="center">6</p> | <p align="center">1.3.2</p> | <p>Net worth of bidder must be positive for preceding financial/ accounting year.</p> <p>[The Net worth to be considered against the clause above, should be read in conjunction with the definition of Net worth as mentioned in Section 2 (57) of the Companies Act, 2013. Net worth shall mean: "Share capital + Reserves created out of profits and securities Premium – Aggregate value of accumulated losses (excluding revaluation reserves) – deferred expenditure – Miscellaneous Expenditure to the extent not written off and carried forward Loss - Reserves created out of write back of depreciation and amalgamation".]</p> | | | |
| <p align="center">7</p> | <p>Note to BEC Clause No. 1.3</p> | <p>A. For proof of Annual Turnover & Net worth any one of the following document must be submitted along with the bid:</p> <p>(i) A certificate issued by a practicing Chartered /Cost Accountant* (with Membership Number and Firm Registration Number), certifying the Annual turnover & Net worth as per format prescribed in PROFORMA - XI.</p> <p align="center">OR</p> <p>(ii) Audited Balance Sheet along with Profit & Loss account.</p> <p>Note: Mention of UDIN (Unique Document Identification Number) is mandatory for all Certificates issued w.e.f. February 1, 2019 by Chartered Accountant in Practice.</p> | | | |

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| | | <p>B. Considering the time required for preparation of Financial Statements, if the last date of preceding financial/accounting year falls within the preceding six months/within the due date for furnishing of audit report as per Section 139(1) of IT Act, 1961 (read along with latest circulars/notifications issued by CBDT from time to time) 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 undertaking in support of the same along with their technical bid as per PROFORMA-X.</p> | | | |
| | | <p>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 evidences for the same.</p> | | | |
| | | <p>D. In case the bidder is a Government Department, they are exempted from submission of documents mentioned under para A. and B. above.</p> | | | |
| | | <p>E. Bid will be rejected if not accompanied with adequate documentary proof in support of Annual turnover and Net worth as mentioned in Para 1.3.1 & 1.3.2.</p> | | | |

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| 1.4 <u>PRICE EVALUATION CRITERIA</u> | | | | | |
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| 8 | 1.4.1 | Price bids shall be opened in respect of only the techno-commercially acceptable bidders whose bids have been found to be substantially responsive. A substantially responsive bid is one that meets the terms and conditions of the Tender and / or the acceptance of which bid will not result in indeterminate liability on OIL. | | | |
| 9 | 1.4.2 | The quantities shown against each item in the "Price Bid Format" shall be considered for the purpose of Bid Evaluation. It is, however, to be clearly understood that the assumptions made in respect of the quantities 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. | | | |
| 10 | 1.4.3 | Price Bids of techno-commercially qualified bidders will be evaluated on overall lowest cost basis (L-1 offer) i.e. considering the Total quoted price inclusive of all liabilities and GST as per the PRICE BID FORMAT. | | | |
| 11 | 1.4.4 | The bidders are advised not to offer any discount / rebate separately and to offer their prices in the Price Bid Format after considering discount / rebate, if any. | | | |
| 12 | 1.4.5 | Conditional and unsolicited discount will not be considered in evaluation. However, if such bidder happens to be the lowest recommended bidder, unsolicited discount without any condition will be considered for computing the contract price. | | | |

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| 13 | 1.4.6 | Service is not splittable. Based on the evaluation of techno-commercially qualified bidders, the entire scope of service will be awarded to the L-1 bidder only. | | | |
| 14 | 1.4.7 | In case of identical overall lowest offered rate by more than 01 (one) bidder, the selection will be made by draw of lot between the parties offering the same overall lowest price. | | | |
| 15 | 1.4.8 | Quoted unit rates against each Line Item of the price bidding format shall be considered only upto 02 (two) decimal places without rounding off for evaluation. | | | |
| 16 | 1.4.9 | OIL will prefer to deal with registered bidder under GST. Therefore, bidders are requested to get themselves registered under GST, if not registered yet. However, in case any unregistered bidder is submitting their bid, their prices will be loaded with applicable GST while evaluation of bid. Where OIL is entitled for input credit of GST, the same will be considered for evaluation of bid as per evaluation methodology of tender document. | | | |
| 17 | 1.4.10 | When a bidder mentions taxes as extra without specifying the rates & amount, the offer will be loaded with maximum value towards taxes received against the tender for comparison purposes. If the bidder emerges as lowest bidder after such loading, in the event of order on that bidder, taxes mentioned by OIL on the Purchase Order/Contracts will be binding on the bidder. | | | |
| 18 | 1.4.11 | Input Tax Credit on GST (Goods & Service Tax) for this service is NOT available to OIL & the bids will be evaluated based on total price including GST. | | | |

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| 19 | 1.4.12 | In case the GST rating of Contractor on the GST portal / Govt. official website is negative / black listed, then the bids may be rejected by OIL. Further, in case rating of bidder is negative / black listed after award of work for supply of goods / services, then OIL shall not be obligated or liable to pay or reimburse GST to such Contractor and shall also be entitled to deduct / recover such GST along with all penalties / interest, if any, incurred by OIL. | | | |
| 2.0 BID REJECTION CRITERIA | | | | | |
| 20 | 2.1 | The bids are to be submitted in Single-Stage Two Bid System i.e. Un-priced Techno-Commercial Bid and Price Bid together. Only the Price Bid should contain the quoted price. | | | |
| 21 | 2.2 | The price quoted by the successful bidder must be firm during the performance of the contract and not subject to variation on any account except as mentioned in the bid document. Any bid submitted with adjustable price quotation other than the above will be treated as non-responsive and rejected. | | | |
| 22 | 2.3 | Any financial bid without the duly filled price bid format shall be liable for rejection. | | | |
| 23 | 2.4 | Bid Security in Original shall be furnished as a part of the Technical Bid and shall reach the office of CGM-Contracts, OIL 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 GeM portal along with the Technical Bid. The amount of Bid Security shall be ₹ 2,22,000.00 . Bid Security should be valid for a minimum period of 180 days from original bid closing | | | |

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| | | date i.e. 29.09.2024 . Bid without proper & valid Bid Security will be rejected. Bidders may please refer to ITB Clause No. 9.0. Exemption from submission of bid security shall be governed by Clause No. 10.0 of the ITB. | | | |
| 24 | 2.5 | Bid Documents / User Id & Password for OIL's E-Tender portal are not transferable. Bid can only be submitted in the name of the bidder in whose name the bid document has been issued. | | | |
| 25 | 2.6 | Any bid received in the form of Physical document / Telex / Cable / Fax / E-mail will not be accepted. | | | |
| 26 | 2.7 | Bids shall be typed or written in indelible ink. The bidder or his authorized representative shall sign the bid digitally, failing which the bid will be rejected. | | | |
| 27 | 2.8 | Bids shall contain no interlineations, erasures or overwriting except as necessary to correct errors made by bidder, in which case such corrections shall be initialed by the persons(s) signing (digitally) the bid. However, white fluid should not be used for making corrections. Any bid not meeting this requirement shall be rejected. | | | |
| 28 | 2.9 | Any bid containing false statement will be rejected and action will be taken by Company as per Bid Document. | | | |
| 29 | 2.10 | Bids are invited under Single-Stage Two Bid System . Bidders must submit both "Technical" and "Price" Bids in electronic form through online OIL's e-Tender portal accordingly within the Bid Closing Date and time stipulated in the e-Tender. The Technical Bid is to be submitted as per Scope of Work & Technical Specifications of the tender under "Technical Attachment" Tab and the Priced Bid under "Notes and Attachments" Tab as per the PRICE BID FORMAT . | | | |

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| 30 | 2.11 | | | | |
| | | <p>Bid received with validity of offer less than 120 (One Hundred and Twenty) days from the date of Technical Bid opening will be rejected. Bidder must submit a declaration regarding bid validity as per the format prescribed in PROFORMA-I.</p> | | | |
| 31 | 2.12 | <p>Bidder must accept and comply with the following provisions as given in the Tender Document in toto, failing which offer will be rejected:</p> <ul style="list-style-type: none"> (i) Firm price (ii) EMD / Bid Bond (iii) Period of validity of Bid (iv) Price Schedule (v) Performance Bank Guarantee / Security deposit (vi) Delivery / Completion Schedule (vii) Scope of work (viii) Guarantee of material / work (ix) Liquidated Damages clause (x) Tax liabilities (xi) Arbitration / Resolution of Dispute Clause (xii) Force Majeure (xiii) Applicable Laws (xiv) Specifications (xv) Integrity Pact (Applicable for this tender) | | | |
| 32 | 2.13 | <p>There should not be any indication of price in the Un-priced Techno-Commercial Bid. A bid will be straightway rejected if this is given in the Unpriced Techno-Commercial Bid.</p> | | | |

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| 33 | 2.14 | <p>The Integrity Pact is applicable against this tender. OIL shall be entering into an Integrity Pact with the bidders as per format enclosed vide “Part-VI/Integrity Pact” of the tender document. This Integrity Pact Proforma has been duly signed digitally by OIL’s competent signatory. The Proforma has to be returned by the bidder (along with the Un-Priced Techno-Commercial Bid) duly signed (digitally) by the same signatory who signed the bid, i.e., who is duly authorized to sign the bid. Uploading the Integrity Pact with digital signature will be construed that all pages of the Integrity Pact has been signed by the bidder’s authorized signatory who sign the Bid.</p> <p>In the event of any dispute between the management and the management and the contractor relating to those contracts where Integrity Pact is applicable, in case, both parties are agreeable, they may try to settle dispute through mediation before the panel of IEMs in a time bound manner. if required, the organizations may adopt any mediation rules for this purpose. In case, the dispute remains unresolved even after mediation by the panel of IEMs, the organization may take further action as per the terms and conditions of the contract. The fees / expenses on dispute resolution shall be equally shared by both parties.</p> | | | |
| 34 | 2.15 | <p>The Bidder must neither be bankrupt nor undergoing any insolvency resolution process or liquidation or bankruptcy proceeding under any law. In this regard, bidder must submit a declaration/undertaking about their financial standing as per PROFORMA – XV of the tender.</p> | | | |

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| 35 | 2.16 | Any bidder who are on Holiday list/Delisted/Blacklisted/Debarred/ Suspension list of OIL on due date of submission of bid/ during the process of evaluation of bids, the offers of such bidders shall not be considered and will be straightaway rejected. In this regard, the bidders must submit a declaration as per PROFORMA -XVI of the tender. | | | |
| <u>GENERAL:</u> | | | | | |
| 36 | 3.1 | In case bidder takes exception to any clause of bidding document not covered under BEC-BRC, 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. No deviation will however be accepted in the clauses covered under BEC-BRC. | | | |
| 37 | 3.2 | 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-BRC also and such clarifications fulfilling the BEC-BRC clauses in toto must be received or before the deadline given by the company, failing which the offer will be will be evaluated based on the submission. However, mere submission of such clarification shall not make the offer responsive, unless company is satisfied with the substantial responsiveness of the offer. | | | |

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| 38 | 3.3 | If any of the clauses in the BEC-BRC contradict with other clauses of bidding document elsewhere, the clauses in the BEC-BRC shall prevail. | | | |
| 39 | 3.4 | Bidder(s) must note that requisite information(s) / financial values etc. as required in the BEC-BRC & Tender must be clearly understandable from the supporting documents submitted by the Bidder(s); otherwise bids shall be rejected. | | | |
| 40 | 3.5 | OIL will not be responsible for delay, loss or non-receipt of applications for participating in the bid sent by mail and will not entertain any correspondence in this regard. | | | |
| 41 | 3.6 | The originals of such documents [furnished by bidder(s)] shall have to be produced by bidder(s) to OIL as and when asked for. | | | |
| 42 | 4.0 | <p>AWARD OF CONTRACT: The contract for hiring of the tendered services shall be awarded as below:</p> <p>A. L-1 bidder is a Class I PPLC bidder: In case if the L1 bidder is a Class I PPLC bidder, the contract shall be awarded to the L1 Class I PPLC bidder.</p> <p>B. L-1 Bidder is other than Class I PPLC: In case if the L1 bidder is not a Class I PPLC bidder, then preference shall be given to the lowest eligible Class I PPLC bidder falling within the price band of L1+20%. If such Class I PPLC bidder agrees to match the price of L1 bidder, then the contract shall be awarded to them, else offer shall be given to the next higher Class I PPLC bidder within price band of L1+20% and so on. In case none of the Class I PPLC bidder within price band of L1+20% accept the L1 price, then the contract shall be awarded to L1 bidder.</p> | | | |

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| 44 | 5.0 | Bidders have to submit a declaration as per the format prescribed in Part-V/Safety Measure (SM) regarding compliance of Safety Measures along with the technical bid. | | | |
| 45 | 6.0 | CHECKLIST FOR BEC-BRC: Enclosed as TECHNICAL EVALUATION SHEET and COMMERCIAL CHECKLIST to be submitted along with the technical bid. The bid may be rejected if the check list is not submitted. | | | |
| 46 | 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. | | | |
| <p>8.0 RESTRICTIONS ON PROCUREMENT FROM A BIDDER OF A COUNTRY WHICH SHARES LAND BORDER WITH INDIA:</p> <p>Subject to Order No. F. 7/10/2021-PPD (1) dated 23.02.2023 (as amended from time to time), issued by Ministry of Finance, Department of Expenditure, Public Procurement Division, Govt. of India, Bidders should take note of the following:</p> | | | | | |
| 47 | 8.1 | Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority [Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT)]. Further, any bidder (including bidder from bidder) having specified Transfer of Technology (ToT) arrangement with an entity from a country which shares a land border with India, shall also require to be registered with the same competent authority to be eligible to bid in this tender. | | | |
| 48 | 8.2 | "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial | | | |

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| | | juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process. | | | |
| 49 | 8.3 | <p>"Bidder from a country which shares a land border with India" for the purpose of this Order means:</p> <ul style="list-style-type: none"> a. An entity incorporated, established or registered in such a country; or b. A subsidiary of an entity incorporated, established or registered in such a country; or c. An entity substantially controlled through entities incorporated, established or registered in such a country; or d. An entity whose beneficial owner is situated in such a country; or e. An Indian (or other) agent of such an entity; or f. A natural person who is a citizen of such a country; or g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above | | | |
| 50 | 8.4 | <p>The beneficial owner for the purpose of para 8.3 above will be as under:</p> <p>8.4.1 In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.</p> <p>Explanation:</p> | | | |

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| | <p>a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;</p> <p>b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders' agreements or voting agreements;</p> <p>8.4.2 In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;</p> <p>8.4.3 In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;</p> <p>8.4.4 Where no natural person is identified under 8.4.1 or 8.4.2 or 8.4.3 above, the beneficial owner is the relevant natural person who holds the position of senior managing official;</p> <p>8.4.5 In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.</p> | | | |
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TECHNICAL EVALUATION SHEET FOR BEC/BRC

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| 51 | 8.5 | An Agent is a person employed to do any act for another, or to represent another in dealings with third person. | | | |
| 52 | 8.6 | The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. A declaration as per Exhibit-I in this respect to be submitted by the bidder. | | | |
| 53 | 8.7 | <u>Validity of registration:</u> In respect of tenders, registration should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance/placement of order, registration shall not be a relevant consideration during contract execution. | | | |
| 54 | 8.8 | The bidders are required to provide undertaking as per Exhibit-II & Exhibit-III along with their bid complying with Clause No. 8.1 above for participation in this tender. | | | |
| 55 | 8.9 | If the undertakings viz. Exhibit-I, Exhibit-II and Exhibit-III given by a bidder whose bid is accepted is found to be false, this would be a ground for debarment/action as per OIL's Banning Policy and further legal action shall be taken in accordance with law. | | | |