

Bid Corrigendum

GEM/2022/B/2430704-C1

Following terms and conditions supersede all existing "Buyer added Bid Specific Terms and conditions" given in the bid document or any previous corrigendum. Prospective bidders are advised to bid as per following Terms and Conditions:

Buyer Added Bid Specific Additional Terms and Conditions

1. **OPTION CLAUSE:** The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.
2. The buyer organization is an institution eligible for concessional rates of GST as notified by the Government of India. The goods for which bids have been invited fall under classification of GST concession and the conditions for eligibility of concession are met by the institution. A certificate to this effect will be issued by Buyer to the Seller after award of the Contract. Sellers are requested to submit their bids after accounting for the Concessional rate of GST.
Applicable Concessional rate of GST : 12%
Notification No.and date : 08/2022 dated 13/07/2022
3. Whereever Essentiality Certificate is applicable (PEL/ML), successful bidder should provide Proforma Invoice for processeing for EC application and material should be dispatche after receiving of EC rom DGH. In view of the same, an ATC may be incorporated in GeM, viz, "BIDDER/OEM must provide Proforma Invoice for processeing for EC application within 15 days from date of issue of GeM Contract and material should be dispatche after receiving of EC rom DGH."
4. Scope of supply (Bid price to include all cost components) : Only supply of Goods
5. Bidder's offer is liable to be rejected if they don't upload any of the certificates / documents sought in the Bid document, ATC and Corrigendum if any.
6. Buyer Added text based ATC clauses

1.0 BID REJECTION CRITERIA (BRC):

The bid shall conform generally to the specifications, terms and conditions given in this document. 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.

A) TECHNICAL:

1.0 Bidder's Qualification:

The bidder should be a reputed fabricator and should have the credentials of supplying similar type of tank in the past. Necessary evidence in the form of order copies / proof of supplies / acceptance / performance certificates should be submitted along with the offer.

2.0 Bidders Experience:

A) The bidder shall have the experience of successful execution of purchase order(s)/ contract(s) for supplying **03** (Three) Nos of similar items to any Oil and Gas Industry and/or E&P company in the last 05 (five) years preceding the original bid closing date of the tender. Necessary proof in support of the same should be submitted along with the offer failing which the offer will be rejected.

Note: Term " similar type of tank " means Steel Fabricated Mud tank, Water Tank , Preflux Tank etc)

The supporting documents to be submitted with the technical bid as documentary evidence of successful execution of past supply/ contract are as follows: - Copy(ies) of Purchase Order(s) / Contract document(s), **AND**

Any of the following documents that confirms the successful execution of the order(s)/contract(s)-

- (i) Satisfactory Inspection Report (OR)
- (ii) Satisfactory Supply Completion / Installation Report (OR)
- (iii) Consignee Receipted Delivery Challans (OR)
- (iv) Central Excise Gate Pass / Tax Invoices issued under relevant rules of Central Excise / VAT/ GST (OR)
- (v) Any other documentary evidence that can substantiate the satisfactory execution of each of the purchase orders cited above.

b) Bidder must forward along with the quotation the detailed drawing of the tank , Bill of material failing which the offer will be liable for rejection.

c) The bidder should be a Government registered vendor. Necessary proof in support of the same should be furnished.

d) The bidder, if registered as an SSI, should submit the certificate copy of registration with the concerned authorities.

e) Bidder should have the required machinery, manpower and resources for undertaking the fabrication of tank, viz welding, painting, pressing of sheets (corrugation) etc. A list of all the facilities (including list of machineries) available is to be submitted along with the offer.

Note:

a) The Purchase Order date need not be within 5 (five) years preceding original bid closing date of this tender. However, the execution of supply should be within 5 (five) years preceding original bid closing date of this tender.

b) Satisfactory supply/completion/installation report (if submitted) should be issued on client's official letterhead with signature and stamp

3.0 DELIVERY PERIOD: Bidder should categorically confirm in the technical bid for delivery of the items within 08(Eight) months after receipt of formal order, failing which the offer will be rejected.

B) FINANCIAL:

The bidder must have annual Financial Turnover from Operations of at least **INR 30.41** Lakhs in any of the preceding Three (3) financial/ accounting years reckoned from the original bid closing date of this tender as per the Audited Annual Reports.

[Annual Financial Turnover of the bidder from operations shall mean - "Aggregate value of the realization 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).]

b) The Net Worth of the bidder must be positive for the accounting year preceding the original bid closing date.

[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".]

Notes:

a) For proof of Annual Turnover & Net worth any one of the following documents must be submitted along with the bid: -

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 ANNEXURE-J.

OR

ii) Audited Balance Sheet along with Profit & Loss account.

a) 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.

APPLICABILITY OF BANNING POLICY OF OIL INDIA LIMITED :

Banning Policy as per revised guidelines of banning/debarment vide OM no.

F.1/20/2018-PPD dated 02.11.2021 issued by Department of Expenditure, Ministry of Finance, Govt of India will be applicable against the tender (and order in case of award) to deal with any agency (bidder/ contractor / supplier /vendor/service provider) who commits deception, default, fraud or indulged in other misconduct of whatsoever nature in the tendering process and/or order execution processes.

The bidders who are on Holiday /Banning /Suspension list of OIL on due date of submission of bid/ during the process of evaluation of the bids, the offers of such bidders shall not be considered for bid opening/evaluation/award. If the bidding documents were issued inadvertently/downloaded from website, the offers submitted by such bidders shall also not be considered for bid opening/evaluation/Award of Work.

INTEGRITY PACT: The Integrity Pact is applicable against this tender. Therefore, please submit the Integrity Pact document duly signed along with your offer. OIL shall be entering into an Integrity Pact with the bidders as per format enclosed. The proforma has to be submitted by the bidder (along with the technical bid) duly signed by the same signatory who 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 Integrity Pact with the offer, their bid shall be rejected straightway. The names of the OIL's Independent External Monitors at present are as under:

1. Shri Sutanu Behuria, IAS (Retd.),

E-mail: sutanu2911@gmail.com

2. SHRI OM Prakash Singh, IPS (Retd)

Former DGP Uttar Pradesh

E-mail ID: ops2020@rediffmail.com

3. SHRI RUDHRA GANGADHARAN, IAS (RETD.)

Ex-Secretary, Ministry of Agriculture

E-mail ID: rudhra.gangadharan@gmail.com

ANNEXURE- J

CERTIFICATE OF ANNUAL TURNOVER & NET WORTH

TO BE ISSUED BY PRACTISING CHARTERED ACCOUNTANTS' FIRM ON THEIR LETTER HEAD

TO WHOM IT MAY CONCERN

This is to certify that the following financial positions extracted from the audited financial statements of M/s..... (Name of the Bidder) for the last three (3) completed accounting years up to..... (As the case may be) are correct.

YEAR	TURN OVER In INR (Rs.) Crores	NET WORTH In INR (Rs.) Crores

Place:

Date:

Seal:

Membership No.:

Registration Code:

(TO BE EXECUTED BY THE AUTHORIZED SIGNATORY OF THE BIDDER ON THE OFFICIAL LETTER HEAD OF THE BIDDER)

CERTIFICATE OF COMPLIANCE TO FINANCIAL CRITERIA

Ref : Financial Criteria under Note of BEC/BRC of Tender No. _____

I _____ the authorized signatory(s) of _____ (Company or Firm name with address) do hereby solemnly affirm and declare/ undertake as under:

The balance sheet/Financial Statements for the financial year _____ have actually not been audited as on the Original Bid Closing Date.

Yours faithfully,

For (type name of the firm here)

Signature of Authorized Signatory Name:

Designation:

Phone No.

Place:

Date:

(Affix Seal of the Organization here, if applicable)

Note: Please note that any declaration bearing date after the Original Bid Closing Date will not be considered and will be rejected. This certificate is to be issued only considering the time required for preparation of Financial Statements i.e. if the last date of preceding financial/accounting year falls within the preceding six months reckoned from the Original Bid Closing Date.

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7. Buyer Organization specific Integrity Pact shall have to be complied by all bidders. Bidders shall have to upload scanned copy of signed integrity pact as per Buyer organizations policy along with bid. [Click here to view the file](#)

Disclaimer

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in Buyer Organization. Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity/restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and/or terms and

conditions governing the bid. Any clause incorporated by the Buyer such as demanding Tender Sample, incorporating any clause against the MSME policy and Preference to make in India Policy, mandating any Brand names or Foreign Certification, changing the default time period for Acceptance of material or payment timeline governed by OM of Department of Expenditure shall be null and void and would not be considered part of bid. Further any reference of conditions published on any external site or reference to external documents/clauses shall also be null and void. If any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations. Also, GeM does not permit collection of Tender fee / Auction fee in case of Bids / Forward Auction as the case may be. Any stipulation by the Buyer seeking payment of Tender Fee / Auction fee through ATC clauses would be treated as null and void.

*This document shall overwrite all previous versions of Bid Specific Additional Terms and Conditions.

[This Bid is also governed by the General Terms and Conditions](#)