

OIL INDIA LIMITED
(A Government of India Enterprise)
CONTRACTS DEPARTMENT
P.O. DULIAJAN - 786602

CORRIGENDUM-2

GeM Bid No. GEM/2022/B/2442199

This Corrigendum No. 2 dated 06.09.2022 to GeM Bid No. GEM/2022/B/2442199 for "**Hiring of Services for Operation and Maintenance of Effluent Treatment Plant (ETP) at OIL Hospital, Duliajan for a period of 03 years**" is issued to notify the following:

- (1) The BEC Clause No. 1.1.2 under PQC has been amended. The **amended BEC-BRC** is attached herewith.
- (2) The Bid Closing Date of the tender has been amended as: **15.09.2022 (14.00 Hrs).**
- (3) The Bid Opening Date of the tender has been amended as: **15.09.2022 (14.30 Hrs).**

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.


06/09/2022
SR. OFFICER - CONTRACTS (S)

PRE QUALIFICATION CRITERIA (PQC)**BID EVALUATION CRITERIA (BEC) – BID REJECTION CRITERIA (BRC)****1.0 BID EVALUATION CRITERIA (BEC):**

The bid shall conform to the specifications and terms and conditions given in the Bidding Documents. Bids will be rejected in case material and services offered do not conform to the required parameters stipulated in the technical specifications. Notwithstanding the general conformity of the bid 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 will not be considered for evaluation. All the documents related to BEC shall be submitted along with the Technical Bid.

1.1 TECHNICAL EVALUATION CRITERIA:**1.1.1 Bidder must have experience of successfully completing at least one SIMILAR work of**

- i) minimum value of **Rs 3,81,114.00 (Rupees Three Lakhs Eighty One Thousand One Hundred and Fourteen Only)**

OR

- ii) minimum Capacity of **18 KLPD ETP** for a minimum period of **01 (One) year and 06 (Six) months**

under single contract during the last 07 (Seven) years reckoned from the original bid closing date with PSUs/Central Government/State Government Organization/Public Limited Company/State Government hospital or an ISO/NABH Certified hospital.

1.1.2 Bidder must:

- i) Be recognized/authorised by a Pollution Control Board of any State/Union Territory of India.
- ii) Have their own chemical laboratory/have a tie-up with a laboratory (please refer to **Note** below) to analyse samples from ETP.
- iii) Be ISO certified.

The bidder must submit relevant certificates/documents in support of the aforesaid clause:

- a) Valid Certificate of recognition/authorization of the bidder by concerned Pollution Control Board for operating a facility for treatment of bio-medical waste [for Clause 1.1.2 (i)]
- b) Valid Certificate of recognition/authorization of laboratory by concerned Pollution Control Board for analysing samples discharged from medical ETP [for Clause 1.1.2 (ii)]
- c) ISO certificate [for Clause 1.1.2 (iii)]

NOTE: In case the bidder does not have its own laboratory as mentioned in Clause **1.1.2 (ii)** above, they must have a tie-up with a laboratory for testing of samples from the ETP. As a proof of which they have to submit **MoU/Agreement** or **any other document** that would substantiate this condition alongwith a **valid**

Recognition/Authorization Certificate of the laboratory by the concerned Pollution Control Board for analysing samples discharged from medical ETP .”

Notes to BEC Clause No. 1.1.1:

A. "SIMILAR work" mentioned above means **“Supply, installation & commissioning’ or ‘execution of operation & maintenance’ of an Effluent Treatment Plant (ETP)”**.

B. For proof of requisite Experience (refer Clause No. 1.1.1), the following documents / photocopy (self-attested / attested) must be submitted along with the bid:

(i) Contract document / LoA / WO showing details of work,

AND

(ii) Job Completion Certificate showing:

- (a) Gross value of job done / capacity of the ETP (whichever is applicable).
- (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:

- (a) Work order no. / Contract no.
- (b) Gross value of jobs done/ capacity of the ETP (whichever is applicable).
- (c) Period of Service
- (d) Nature of Service

C. Only Letter of Intent (LOI) / Letter of Award (LOA) and/ or Work Order(s), Job Completion certificate are not acceptable as evidence of experience. However, if Letter of Intent (LOI) / Letter of Award (LOA) and/ or Work Order(s) are issued from OIL, then the same will be considered as evidence subject to successful verification with OIL’s own records of execution.

D. Mere award of contract(s) will not be counted towards experience. Successful completion of the awarded contract(s) to the extent of value / period (whichever is applicable), as stipulated under Clause No. 1.1.1 will only be treated as acceptable experience.

E. Following work experience will also be taken into consideration:

- (a)** If the prospective bidder is executing **SIMILAR work** which is still running and the value /period of job (whichever is applicable) executed prior to original bid closing date is equal to or more than the minimum prescribed value/period mentioned in Clause No. 1.1.1.
- (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.

- (c) If the prospective bidder has executed a contract in which **SIMILAR Work** is a component of the contract.
 - 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 E (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).
- F. Experience of executing similar work through 'sub-contracting' shall not be considered for evaluation.
- G. **SIMILAR work** executed by a bidder for its own organization / subsidiary cannot be considered as experience for the purpose of meeting BEC.

1.2 **FINANCIAL EVALUATION CRITERIA:**

1.2.1 Annual Financial Turnover of the bidder in any of preceding 03 (three) financial years, reckoned from the original bid closing date should be **Rs. 2,28,669.00 (Two Lakhs Twenty Eight Thousand Six Hundred and Sixty Nine Only)** only.

NOTE: 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).

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

NOTE: 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".

Notes to BEC Clause No. 1.2:

A. For proof of Annual Turnover & Net worth any one of the following document 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 **PROFORMA - VIII**.

OR

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

*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.

- 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.

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-VII**.

C. In case the bidder is a Government Department, they are exempted from submission of documents mentioned under para **A.** and **B.** above.

1.3 PRICE EVALUATION CRITERIA:

1.3.1 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.

1.3.2 Bidders are required to quote for all the items as per Price Bid Format/BOQ. In case the bidder does not quote against any of the line items, the total bid value shall be considered as inclusive of the cost of the service/item.

1.3.3 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.

1.3.4 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.

- 1.3.5** The inter-se-ranking of the techno-commercially qualified bidders will be determined on overall lowest cost basis (L-1 offer) i.e. considering the Total quoted price inclusive of all liabilities and GST (CGST & SGST/UTGST or IGST) that the bidders enter in the “Offer Price” field against the GeM portal.
- 1.3.6** Based on the evaluation of techno-commercially qualified bidders, the service will be awarded to the L-1 bidder.
- 1.3.7** 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.
- 1.3.8** 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 in accordance with GeM GTC.
- 1.3.9** 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.
- 1.3.10** 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.
- 1.3.11** 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.

1.4 PURCHASE PREFERENCE CLAUSE:

MSEs Units (Manufacturers/Service Providers only and not their dealers/distributors) are eligible for Purchase Preference as mentioned below:

(a) 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.

(b) 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.

(c) Documentation required to be submitted by MSEs: The bidder should declare in **PROFORMA – XV** of this tender, in case the bidder wants to avail MSE Purchase Preference.

Categorisation and various criteria applicable to MSE bidders shall be guided by the Gazette Notification No. CG-DL-E-26062020-220191 dated 26.06.2020 and amendment vide Gazette Notification no. CG-DL-E-16062021-227649 dated 16.06.2021 and No. CG-DL-E-19012022-232763

dated 19.01.2022 and CG-DL-E-06052022-235600 dated 06.05.2022 issued by Ministry of Micro, Small and Medium Enterprise. The existing enterprises registered under EM-PART-II or UAM till 30.06.2020 shall continue to be valid only to **30th June, 2022**.

The Bidder claiming as MSE status (MSE-General, MSE-SC/ST, MSE-Woman) against this tender has to submit the following documents for availing the benefits applicable to MSEs:

- i. Udyam Registration Number with Udyam Registration Certificate.
OR
- ii. Proof of registration 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 Udyog Adhar registration or registration with any other body specified by ministry of MSME.

NOTE: In case bidding MSE is owned by Schedule Caste or Schedule Tribe Entrepreneur or Woman Entrepreneur, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC / ST entrepreneur / Woman Entrepreneurs should also be enclosed.

2.0 BID REJECTION CRITERIA (BRC):

- 2.1** Bids are invited under **Single-Stage Two-Bid System** i.e. Un-priced Techno-Commercial Bid and Price Bid separately. The Un-priced techno-commercial bid (or Technical bid) must comprise of all the technical documents substantiating the previous experience, financial & technical credentials of the bidder and any other document as asked for in the bid document. **There should not be any indication of price in the Technical bid; otherwise, the bid shall be rejected straightway.**

- 2.2** The bidders must enter an all-inclusive price (including GST) against the "OFFER PRICE" field while creating their response against the tender in GeM portal. Computation of the above-mentioned all-inclusive price must be done as per the Price Bid Format enclosed along with the BOQ. The duly filled 'PRICE BID / FINANCIAL DOCUMENT' in electronic form must be submitted by the bidders in GeM Portal only along with the Financial Bid, at the designated tab of the GeM Portal. Any Financial Bid without the duly filled Price Bid may be liable for rejection.

Note: The breakup of the quoted/offered price i.e. the duly filled Price Bid Format MUST NOT be uploaded with the technical bid; otherwise the bid shall be rejected straightway.

- 2.3** 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.
- 2.4** Bidders are required to quote for all the items as per Price Bid Format; otherwise the offer of the bidder will be straightaway rejected.
- 2.5** Bid Security is not applicable against this tender. However, bidders shall submit along with their bid a signed **"Bid Security Declaration"**

(PROFORMA-X) accepting that, if they withdraw or modify their bids during the period of validity; or if they are awarded the contract and they fail to sign the contract; or if they fail to submit Performance Security before the deadline defined in the NIT; they will be suspended for the period of two years. This suspension of two years shall be automatic without conducting any enquiry.

2.6 Bid Documents are non-transferable. Bid can only be submitted in the name of the bidder in whose name the bid document has been issued.

2.7 Any bid received in the form of Physical document / Telex / Cable / Fax / E-mail will not be accepted.

2.8 Bids shall be typed or written in indelible ink. 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 authorized signatory. However, white fluid should not be used for making corrections. Any bid not meeting this requirement shall be rejected.

2.9 Any bid containing false statement will be rejected and action will be taken by Company as per Bid Document.

2.10 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 Un-priced Techno-Commercial Bid.

2.11 Bid received with validity of offer less than **80 (Eighty) 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**.

2.12 Bidder must accept and comply with the following provisions as given in the Tender Document in toto, failing which offer will be rejected:

- (i) Firm price
- (ii) Bid Security Declaration
- (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 **(Not Applicable for this tender)**

2.13 Any bidder who are on Holiday/Banning/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.

3.0 GENERAL:

- 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.
- 3.2** Bidders should provide self-attested copies of GST Registration Certificate, PAN Card, ESIC registration (if applicable), P.F. Registration Number OR Declaration (Declaration by applicant that provisions of Provident Fund Act are not applicable to them. In case P.F. is required to be deposited later on, the same will be deposited by the bidder (Applicant). In case successful bidder doesn't have P.F. Code at the time of bidding and PF Act is applicable on him / her, the same has to be provided by him / her before signing of contract agreement and issue of Work Order by OIL.
- 3.3** 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.
- 3.4** 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.
- 3.5** 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.
- 3.6** 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.
- 3.7** The originals of such documents [furnished by bidder(s)] shall have to be produced by bidder(s) to OIL as and when asked for.
- 4.0** Bidders have to submit a declaration as per the format prescribed in **PROFORMA-IX** regarding compliance of safety measures alongwith the technical bid.
- 5.0 CHECKLIST FOR BEC-BRC:** Enclosed as **TECHNICAL EVALUATION SHEET (PROFORMA-XIII)** and **COMMERCIAL CHECK-LIST (PROFORMA-XIV)**. To be submitted along with the technical bid.
- 6.0 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.

*******End of PQC*******