

**OIL INDIA LIMITED**  
(A Government of India Enterprise)  
CONTRACTS DEPARTMENT  
P.O.: Duliajan- 786602, Assam

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**CORRIGENDUM-9 DATED 24.01.2022 TO TENDER NO. CDH8338L22 for “Hiring of Services for Real Time Production Monitoring and Analysis (RTPM) Project under DRIVE Initiative”**

This Corrigendum is issued to all concerned bidders to notify the following:

1. The following modification has been made in Part-2 BEC/ BRC (Revised) uploaded in the “Amendments” folder in E-portal. Revised BEC BRC enclosed herewith as Annexure-I.

<b>Sl. No.</b>	<b>Clause No.</b>	<b>Original Clause</b>	<b>Modified Clause</b>	<b>Remarks</b>
<b>1</b>	1.1.2 iii.	The bidder should have experience of successfully completing at least 01 (one) virtual flow metering model, 01 (one) flow line wax deposition model and 01 (one) blockage detection model using the proposed process simulation software for an upstream Oil and Gas organization in India or abroad in the last 10 (Ten) years reckoned from the Original Bid Closing Date.	Bidder shall have to provide the process simulation software for virtual flow metering model, flow line wax deposition model and blockage detection model as per the scope of the tender.  <u>Note:</u> In case the bidder does not have the process simulation software of their own, the bidder can outsource the process simulation software from any service provider having the experience of process simulation software as per the scope of the tender. In such situation, bidder should submit an undertaking from outsource service provider to provide the services as per the tendered scope, if awarded. The undertaking should be addressed to OIL and shall remain valid and binding for the entire period of Tender/Contract.	Clause removed from 1.1.2 “Experience Criteria” and put under Technical Criteria as separate clause in BEC/ BRC.

All others terms and conditions of the tender document remain unchanged.

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**Part-2**

**REVISED BID EVALUATION CRITERIA (BEC)/BID REJECTION CRITERIA (BRC)**

**GENERAL CONFORMITY:** 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.

**1.0 TECHNICAL CRITERIA**

- 1.1.1 **The bidder must be incorporated in India and must maintain more than 20% local content (LC) for the offered services to be eligible to bid against this tender.**

Regarding calculation of local content and submission of documents during bidding & execution of contracts, provision of Purchase preference policy linked with Local Content (PP-LC) notified vide **Letter No. FP-20013/2/2017-FP-PNG dated 17.11.2020** by-MoPNG (including subsequent amendments thereof, if any) shall be applicable.

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.

Whether **or not** the bidders want to avail PP-LC benefit against this tender, it is mandatory for them to meet the following at the bidding stage:

- (a) Without specifying the unit rates and bid amount in the technical bid, the bidder must provide the **percentage (%) of local content** in their bid, without which the bid shall be summarily rejected being non-compliant.
- (b) The Bidder shall submit an undertaking from the authorised signatory of bidder having the Power of Attorney along with the bid, stating that the bidder meets the minimum LC requirement (above 20%) and such undertaking shall become a part of the contract, if awarded.
- (c) The aforesaid undertaking of the bidder shall also be supported by a certificate from the statutory auditor or cost auditor of the company (in case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of other than companies) giving the percentage of local content.
- (d) Bidder to submit a copy of their Certificate of Incorporation in India.

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**1.1.2 EXPERIENCE:**

- i. The bidder should have experience of successfully completing at least one (1) project of supply, installation, and commissioning of field instruments (measuring devices and wireless network devices) in production domain of **upstream Oil & Gas** in India or abroad in the last 10 (Ten) years reckoned from the Original Bid Closing Date.
- ii. The bidder should **either** have experience of successfully completing at least one (1) project of supply, installation, and commissioning of software solution for Production Data Management System or equivalent software comprising of production data management modules in production domain of upstream Oil & Gas in India or abroad in the last 10 (Ten) years reckoned from the Original Bid Closing Date **or** should have experience of successfully completing at least one (1) project of supply, installation, and commissioning of process simulation and modelling software solution in production domain of upstream Oil & Gas in India or abroad in the last 10 (Ten) years reckoned from the Original Bid Closing Date.

**Notes to BEC Clause 1.1.2**

**(A)**

- I. For proof of requisite Experience, following documents/ photocopy (self-attested/attested) must be submitted along with the bid:
  - A. Contract document showing details of work
  - AND
  - B. Job Completion Certificate showing:
    - (i) Gross value of job done
    - (ii) Nature of job done and Work order no. / Contract no.
    - (iii) Contract period and date of completion
  - OR
  - C. SES (Service Entry Sheet)/Certificate of Payment (COP) issued by the company indicating the following:
    - (i) Work order no. / Contract no.
    - (ii) Gross value of jobs done
    - (iii) Period of Service
    - (iv) Nature of Service
  - OR
  - D. Any other document(s) which can substantiate the experience
- II. In case the bidder cites the reasons of Non-Disclosure Agreement (NDA) for its inability to submit necessary documents in support of meeting the experience criteria as mentioned above, a certificate, in original, certifying all the required information (Brief scope of the project,

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Completion date & other details) issued by CEO / CFO / Managing Director/Authorized Signatory of the company along with a declaration that the bidding company is not in a position to submit the required documents owing to the NDA.

- (B) Only Letter of Intent (LOI)/Letter of Award (LOA), or Work Order(s) are not acceptable as evidence.
- (C) 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 respectively under Clause Nos. 1.1.2 i. & 1.1.2 ii. will only be treated as acceptable experience.
- (D) Work (as required in Clause Nos. 1.1.2 i. & ii.) executed by a bidder for its own organization/subsidiary cannot be considered as experience for the purpose of meeting BEC.
- (E) Bids submitted for part of the work will be rejected. Bid will be rejected if not accompanied with adequate documentary proof in support of Work experience as mentioned in Clause Nos. 1.1.2 i. & ii.
- (F) **Bid from Indian Company/Indian Joint Venture Company with Technical Collaboration/Joint Venture Partner:**

In case, the bidder is an Indian Company/Indian Joint Venture Company who does not meet the experience criteria as per Clause No. 1.1.2, may also bid on the strength of Technical Collaborator/Joint Venture Partner provided all the following criteria are met:

- i. The primary bidder who is incorporated in India and maintains more than 20% local content for the offered services as mentioned in Clause No. 1.1.1 above shall **either** have,
  - a) Working experience of Supply, installation, and commissioning of field instruments (measuring devices and wireless network devices) in the production domain of upstream Oil and Gas client in India or abroad in last 10 (ten) years reckoned from the Original Bid Closing Date.

**OR**

- b) Working experience of supply, installation, and commissioning of software solution for Production Data Management System or equivalent software comprising of production data management modules in production domain of upstream Oil & Gas in India or abroad in the last 10 (ten) years reckoned from the Original Bid Closing Date.

**OR**

- c) Working experience of supply, installation, and commissioning of process simulation and modelling software solution in production domain of upstream Oil & Gas in India or abroad in the last 10 (ten) years reckoned from the Original Bid Closing Date.

In this regard the primary bidder must submit all relevant documents establishing experience as per Notes to BEC Clause 1.1.2 above.

- ii.** Only the independent experience of the primary bidder shall be considered for the purpose of this tender. The experience of the primary bidders with other firms/JV partner/subcontracting/under supervision of either client or other professionals will not be qualified.
- iii.** The Primary bidder and the Technical Collaborator/Joint Venture Partner on their own shall meet the experience criteria as per Clause No. 1.1.2 above. The experience of the Technical Collaborator /Joint Venture with other firm(s) will not be qualified. In this regard, the documents establishing experience of the Technical Collaborator/Joint Venture Partner shall be submitted as per notes to BEC Clause No. 1.1.2 above.
- iv.** Indian bidders quoting based on the strength of technical collaborator/ joint venture partner shall submit a Memorandum of Understanding (MOU)/Agreement with their technical collaborator/ joint venture partner clearly indicating their roles and responsibilities which shall be addressed to OIL and shall remain valid and binding for the entire contract period under this tender.

**Notes to Clause No. 1.1.2 (F):**

(i) Any party who is extending support to the bidder by way of entering into Consortium/Joint Venture agreement or MOU with another party shall not be allowed to submit an independent bid against this tender. Under such situation both the bids shall be rejected. Further, all bids from parties with technical collaboration support from the same principal against this tender shall be rejected.

(ii) Number of companies involved in Joint Venture Partnership/Technical Collaboration for bidding should not be more than three including the Subsidiaries, Parent Company.

**(G) 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 No. 1.1.2 can also be considered provided the primary bidder is incorporated in India and maintains more than 20% local content for the offered services as mentioned in Clause No. 1.1.1 above 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 Clause No. 1.1.2 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 case of subsidiary company 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 **Pro forma-N**) between the parent and the subsidiary company or vice-versa and Parent/Subsidiary Guarantee (as per format enclosed as **Pro forma-O**) from the parent/subsidiary company to OIL for fulfilling the obligation under the Agreement, along with the technical bid.

**(H) ELIGIBILITY CRITERIA IN CASE BID IS SUBMITTED ON THE BASIS OF EXPERIENCE OF SISTER SUBSIDIARY/ CO-SUBSIDIARY COMPANY:**

Offers of those bidders who themselves do not meet the technical experience criteria as stipulated in Clause No. 1.1.2 can also be considered based on the experience criteria of their sister subsidiary/ co-subsubsidiary company within the ultimate parent/ holding company subject to meeting of the following conditions:

- i. Provided the primary bidder is incorporated in India and maintains more than 20% local content for the offered services as mentioned in Clause No. 1.1.1 above.
- ii. Provided that the sister subsidiary/ co-subsubsidiary company and the bidding company are both 100% subsidiaries of an ultimate parent/holding company either directly or through intermediate 100% subsidiaries of the ultimate parent/ holding company or through any other 100% subsidiary company within the ultimate/holding parent company. Documentary evidence to this effect to be submitted by the ultimate parent/ holding company along with the technical bid.

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iii. Provided that the sister subsidiary/ co-subsidiary company on its own meets the experience criteria stipulated in Clause No. 1.1.2 above and not through any other arrangement like Technical Collaboration agreement etc.

iv. 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, as per format furnished (**Pro forma-Q**), between them, their ultimate parent/holding company, along with the technical bid.

v. In case of contracts involving multifarious activities such as – (a) manufacturing/ supply (b) installation and commissioning (c) servicing and maintenance of any equipment, then in that case, the bidding company can draw on the experience of their multiple subsidiary sister company (ies) / co-subsidiary company (ies) specializing in each sphere of activity, i.e. (a) manufacturing/supply (b) installation and commissioning (c) servicing and maintenance. However, all the sister subsidiary company(ies)/ co-subsidiary company(ies) and the bidding company should be 100% subsidiary company(ies) of an ultimate parent/ holding company either directly or through intermediate 100% subsidiaries of the ultimate parent/ holding company or through any other 100% subsidiary company within the ultimate/ holding parent company.

**Notes to Clause No. (G) & (H):** In both the situations mentioned above (G & H), following conditions are required to be fulfilled/documents to be submitted:

- (i) Undertaking by the supporting company to provide a performance security (as per format and instructions enclosed as **Proforma-R**), 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.
- (ii) Undertaking from the supporting company to the effect that in addition to invoking the performance security submitted by the contractor, the performance security provided by supporting company shall be invoked by OIL due to non-performance of the contractor.  
Note: In case supporting company fails to submit performance bank guarantee as per (i) above, bid security submitted by the bidder shall be forfeited.
- (iii) In cases where subsidiary/parent/ sister subsidiary / co-subsidiary companies do not have Permanent Establishment in India, the bidding company can furnish Performance Security **equivalent to 150% of the value of the Performance Security which is to be submitted by the bidding company.**

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In such case bidding company shall furnish an undertaking that their subsidiary/parent/ sister company is not having any Permanent Establishment in India in terms of Income Tax Act of India.

1.1.3 Bidders quoting on the technical strength as per clause nos. **(F), (G) & (H)** above, should provide the respective services including key personnel during execution of the contract. A declaration as per **Annexure-I** in this respect to be submitted as part of technical bid.

1.1.4 The proposed software for Production Data Management System or equivalent solution should have **at least 2 of the following 4 modules/workflows in readily deployable state.**

**(1) Mass & Volumetric Balance system**

**(2) Well Testing,**

**(3) Production Allocation,**

**(4) Event & Deferment Management**

In this regard the bidder needs to submit detailed product datasheets self-certified by the CEO/Country Head / Chief Operating Officer/Authorized Signatory/Partner holding the Power of Attorney of the organization to substantiate the claim.

1.1.5 Primary Bidder should take responsibility of provisioning instrumentation, hardware requirements, software requirements and associated licenses along with installation and commissioning services etc. to implement the end-to-end solution successfully and to client's satisfaction. In this regard bidder must submit Certificate from CEO/Country Head / Chief Operating Officer/Authorized Signatory/Partner holding the Power of Attorney of the organization as per attached **Annexure-II.**

1.1.6 Bidder should submit a 'No Deviation Certificate' against the functional requirements mentioned in Scope of Work and Special Terms and Condition of the Tender. In this regard, bidder must submit Certificate from CEO/Country Head / Chief Operating Officer/Authorized Signatory/Partner holding the Power of Attorney of the organization as per **Annexure-III.**

1.1.7 Bidder should provide an undertaking of providing manpower as per Manpower requirement clause no. 2.5. of the Scope of Work. In this regard, bidder must submit a Certificate from CEO/MD/Authorized Signatory or POA of the organization as per attached **Annexure-IV.**

1.1.8 Bidder shall have to provide the process simulation software for virtual flow metering model, flow line wax deposition model and blockage detection model as per the scope of the tender.



**Note to Clause No. 1.1.8:**

In case the bidder does not have the process simulation software of their own, the bidder can outsource the process simulation software from any service provider having the experience of process simulation software as per the scope of the tender. In such situation, bidder should submit an undertaking from outsource service provider to provide the services as per the tendered scope, if awarded. The undertaking should be addressed to OIL and shall remain valid and binding for the entire period of Tender/Contract.

**2.0 FINANCIAL CRITERIA**

2.1.1 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 ₹ **16,00,00,000.00 (Rupees Sixteen Crore Only)**.

2.1.2 Net worth of bidder must be positive for preceding financial/accounting year.  
**Note:** The Net worth to be considered against Clause 2.1.2 above, should be read in conjunction with the definition of Net worth as mentioned in Section 2 (57) of the Companies Act, 2013.

**Notes to BEC Clause 2.0 above:**

**a.** For proof of Annual Turnover & Net worth, 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 **Proforma-J**.

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.

**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 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-T**.

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**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.

**d.** In case the bidder is a Government Department, they are exempted from submission of document mentioned under para a. and b. above.

**e.** Bid will be rejected if not accompanied with adequate documentary proof in support of Annual turnover and Net worth as mentioned in clause 2.1.1 & 2.1.2 above.

2.1.3 In case of bid from Indian Company/Indian Joint Venture Company with Technical Collaboration/Joint Venture partner as per Clause No. (F) under Notes to BEC Clause 1.1.2, the primary bidder shall meet the financial criteria as mentioned in Clause Nos. 2.1.1 and 2.1.2.

2.1.4 In case the bidder is a sister subsidiary or co-subsidiary company or subsidiary (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:

- a) Audited Balance Sheet and Profit Loss Account of the parent/ultimate parent/holding company.
- b) Corporate Guarantee of parent/ultimate parent/Holding company (as per format enclosed as **Proforma-P**) by the authorized officials.
- c) Documents to substantiate that the bidder is a 100% subsidiary company of the parent/ultimate/holding parent company.
- d) Documents proving that net worth of the parent/ultimate parent company is positive for the accounting year preceding the bid closing date.

2.1.5 In case the Audited Balance Sheet and Profit & Loss Account submitted along with the bid are in currencies other than INR, the bidder shall have to convert the figures in equivalent INR considering the prevailing conversion rate on the date of Balance Sheet and Profit & Loss Account. A CA certificate is to be submitted by the bidder regarding converted figures in equivalent INR. Else, the Audited Balance Sheet and Profit & Loss Account shall be evaluated by considering the BC selling rate declared by State Bank of India (on the date on which the Audited Balance Sheet and Profit & Loss Account is signed) for conversion to INR.

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

**3.0** Bids from following types of bidder will not be accepted:

- Who are in the Holiday list of OIL or its Administrative Ministry, MoPNG.
- Who are under liquidation, court receivership or similar proceedings.
- Consultant or their subsidiary Company or companies under the management of consultant for execution of the same project for which they are working as consultant.
- Who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code).
- Whose insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the Code at any stage of evaluation of the bid.

In this regard bidder must submit Self-Declaration in format duly certified by CEO/Country Head / Chief Operating Officer/Authorized Signatory/Partner holding the Power of Attorney along with the bid as per **Annexure-V**.

**4.0 COMMERCIAL EVALUATION CRITERIA:**

**4.1** Bids shall be submitted under single Stage Two Bid System i.e. Technical Bid and Priced 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 Attachments" Tab** and Priced 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.

**4.2** 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.

**4.3** Bids should be valid for a period of **120 (one-hundred twenty)** days from actual bid closing date. Bids with shorter validity shall be rejected as being non-responsive.

**4.4** Bid Security is not applicable against this tender. However, bidders shall submit along with their bid a signed **"Bid Security Declaration" (Proforma E)** 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

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NIT; they shall be suspended for a period of two years. This suspension of two years shall be automatic without conducting any enquiry.

- 4.5** 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 shall be rejected.
- 4.6** Bids received through the e-procurement portal shall only be accepted. Bids received in any other form shall not be accepted.
- 4.7** The bid documents are non-transferable. Bid can only be submitted in the name of the bidder in whose name the User ID and Password have been issued. Unsolicited bids shall not be considered and shall be straightway rejected.
- 4.8** 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 initialed by the person or persons who has/have digitally signed the Bid.
- 4.9** Any Bid containing false statement shall be rejected.
- 4.10** Bidders must quote clearly and strictly in accordance with the price schedule outlined in "Price Bid Format" of Bid Document, otherwise the Bid shall be summarily rejected.
- 4.11** Bidders shall quote directly and not through their Agent/ Representative/Retainer/Associate.
- 4.12** Bidder must accept and comply with the following clauses as given in the Bid Document in toto failing which bid shall 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) Bid Security Declaration
  - xii) Integrity Pact

**5.0 PRICE EVALUATION CRITERIA:**

The bids conforming to the technical specifications, terms and conditions stipulated in the bidding document and considered to be responsive after subjecting to bid evaluation criteria shall be considered for further evaluation as per the price evaluation criteria given below:

- 5.1** Price bid 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.
- 5.2** If there is any discrepancy between the unit price and the total price, the unit price shall 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 shall be adopted for evaluation.
- 5.3** The bidders must quote their rates in the manner as called for vide “Schedule of Rates” under **Section-IV** and the summarized price schedule format vide enclosed **Proforma-B**
- 5.4** 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 shall be paid on the basis of the actual number of days/parameter, as the case may be.
- 5.5** To ascertain the inter-se-ranking, the comparison of the responsive bids shall 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**'.

Total Estimated Contract Cost including all Taxes & Duties [including all applicable GST components] and except basic customs duty:

$$\mathbf{T = A + B + C + D+E}$$

Where,

T = Total Contract Cost

A = Total Cost of Instrumentation & Communication Package

B = Total Cost for System Hardware and Software Package

C = Total Implementation Charges for RTPM Software Solution

D = Total Annual Maintenance Charges

E = Total Manpower and Mobilization Charges

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**5.6** Price Bids shall be evaluated on overall lowest cost to OIL (L-1 offer) basis i.e. considering total quoted price for all services including applicable GST (CGST & SGST/UTGST or IGST).

**5.7** OIL shall 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 shall be loaded with applicable GST while evaluation of bid. Where OIL is entitled for input credit of GST, the same shall be considered for evaluation of bid as per evaluation methodology of tender document.

**5.8** Price Bid uploaded without giving any of the details of the taxes (Including rates and amounts) shall be considered as inclusive of all taxes including GST.

When a bidder mentions taxes as extra without specifying the rates & amount, the offer shall 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 shall be binding on the bidder.

**5.9** Input Tax Credit on GST (Goods & Service Tax) for this service is NOT available to OIL & the bids shall be evaluated based on total price including GST.

**5.10** Based on the evaluation of techno-commercially qualified bidders, the job shall be awarded to L-1 bidder.

**6.0 GENERAL:**

**6.1** 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.

**6.2** To ascertain the substantial responsiveness of the Bid the Company reserves the right to ask the bidder for clarification in respect of clauses 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.

**6.3** If any of the clauses in the BEC contradict with other clauses of the Bid

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Document elsewhere, then the clauses in the BEC shall prevail.

**7.0 PURCHASE PREFERENCE TO MICRO AND SMALL ENTERPRISES:**

**7.1** 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 issued by MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES. The existing enterprises registered under EM-Part-II or UAM till 30.06.2020 shall continue to be valid only for a period upto 31.12.2021.

**7.2** 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.

**7.3** 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.

**7.4 Documentation required to be submitted by MSEs:** 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 & Village Industries Commission or Khadi & Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts & Handloom or Udyog Aadhaar 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 or Woman entrepreneur, valid documentary evidence issued by the agency who has registered the bidder as MSE owned by SC/ST/Woman entrepreneur should also be enclosed.

**7.5** Provisions such as seeking support from another company by way of technical collaboration, submission of JV/ consortium bid, etc., wherever allowed in the tender document shall be available to all interested bidders including MSEs. In those scenarios, MSEs quoting on the strength of technical collaborators will be eligible for the benefits reserved for MSEs (i.e. exemption from payment of EMD and purchase preference). However, in case of submission of Consortium bids by MSEs, in order to avail the benefits reserved for MSEs (i.e. exemption from payment of EMD and purchase preference), the MSE bidder shall have to rely

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on their own strength or on the strength of another MSE only to meet the various tender requirement including technical and financial evaluation criteria. In that case all the members of the Consortium including the leader of the Consortium should be the eligible MSEs. Further, in case of bid from incorporated JVC, in order to avail the above MSE benefits, the bidder i.e. JVC shall have to be MSE.

**8.0 PURCHASE PREFERENCE POLICY (LINKED WITH LOCAL CONTENT) (PP-LC):**

**Purchase preference policy-linked with Local Content (PP-LC) - notified vide letter no. FP-20013/2/2017-FP-PNG dated 17th November, 2020 of MoPNG shall be applicable in this tender.** [copy of the **notification is enclosed as Appendix-I**]. Bidders to check the provisions of the Notification and their eligibility to bid and any claim on **Purchase preference**. Purchase preference will be applicable as per the Notification(s) and any amendment thereof.

- 8.1 Bidders seeking benefits, under Purchase Preference Policy (linked with Local Content) (PP-LC) shall have to comply with all the provisions of the **notification no. FP-20013/2/2017-FP-PNG dated 17th November, 2020 or subsequent amendments, if any.**
- 8.2 Where both MSE and PPLC bidder(s) are entitled to Purchase Preference and neither of them is L-1, eligible MSE(s) (in order of ranking among MSEs) shall get preference over eligible PPLC bidder(s) to match their rates with that of L-1 bidder for award of contract. However, if eligible MSE(s) decline(s) to match down the price, then the eligible PPLC bidder(s) in order of ranking among themselves shall be given the opportunity to match down its price to the price of L-1 bidder for award of contract.
- 8.3 Where MSE is already L-1 in the tender evaluation, contract for L-1 portion shall be straightway awarded to MSE, without considering any Purchase Preference for PPLC bidder.
- 8.4 In case L-1 bidder is a PP-LC bidder, purchase preference shall be resorted to MSE bidder as per 'PPP for MSE-Order 2012'.
- 8.5 In case of participation of MSE and LC vendor against the tender, MSE vendor will be given preference over LC bidder to match with L1 bidder as per Public Procurement Policy. MSE vendor will be evaluated with 15% PP and LC vendor will be evaluated with 20% PP as MSE vendor does not have Local Content conditions as per Public Procurement Policy and the PP-LC policy is not applicable for DMEP and MSME.



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**9.0 VERIFICATION AND CERTIFICATION OF DOCUMENTS BY INDEPENDENT THIRD PARTY INSPECTION AGENCIES:**

9.1 Oil India Limited (OIL) has engaged the following 09 (Nine) Independent Inspection Agencies for a period of 04 (four) years with effect from 06.05.2020 to verify and certify various documents required against BEC/BRC of the tender:

<b>Sl. No.</b>	<b>Name of Independent Inspection Agency</b>	<b>Contact E-mail ID</b>
i.	M/s. RINA India Pvt. Ltd.	a. <a href="mailto:ssd@rina.org">ssd@rina.org</a> b. <a href="mailto:Andrea.Vattuone@rina.org">Andrea.Vattuone@rina.org</a>
ii.	M/s. Dr. Amin Controllers Pvt. Ltd.	a. <a href="mailto:rkjain@rcaindia.net">rkjain@rcaindia.net</a> b. <a href="mailto:info@rcaindia.net">info@rcaindia.net</a>
iii.	M/s. Germanischer Llyod Industrial Services GmbH (DNV GL- Oil & Gas)	a. <a href="mailto:mangesh.gaonkar@dnvgl.com">mangesh.gaonkar@dnvgl.com</a>
iv.	M/s. TÜV SÜD South Asia Pvt. Ltd.	a. <a href="mailto:Jaimin.Bhatt@tuv-sud.in">Jaimin.Bhatt@tuv-sud.in</a> b. <a href="mailto:sanjaykumar.singh@tuv-sud.in">sanjaykumar.singh@tuv-sud.in</a> c. <a href="mailto:Pankaj.Narkhede@tuv-sud.in">Pankaj.Narkhede@tuv-sud.in</a> d. <a href="mailto:Ajit.Yadav@tuv-sud.in">Ajit.Yadav@tuv-sud.in</a>
v.	M/s. IRCLASS Systems and Solutions Private Limited	a. <a href="mailto:abhishek.singh@irclass.org">abhishek.singh@irclass.org</a> b. <a href="mailto:pradeep.bansal@irclass.org">pradeep.bansal@irclass.org</a> c. <a href="mailto:Asim.Hajwani@irclass.org">Asim.Hajwani@irclass.org</a> d. <a href="mailto:Amit.Ketkar@irclass.org">Amit.Ketkar@irclass.org</a> e. <a href="mailto:industrial_services@irclass.org">industrial_services@irclass.org</a>
vi.	M/s. Gulf Llyods Industrial Services (India) Pvt. Ltd.	a. <a href="mailto:contact@gulflloyds.com">contact@gulflloyds.com</a> b. <a href="mailto:bbhavsar@gulflloyds.com">bbhavsar@gulflloyds.com</a> c. <a href="mailto:inspection@gulflloyds.com">inspection@gulflloyds.com</a> d. <a href="mailto:gulflloyds.india@gmail.com">gulflloyds.india@gmail.com</a>
vii.	M/s. TUV India Private Limited	a. <a href="mailto:salim@tuv-nord.com">salim@tuv-nord.com</a> b. <a href="mailto:delhi@tuv_nord.com">delhi@tuv_nord.com</a>
viii.	M/s. TÜV Rheinland (India) Pvt. Ltd.	a. <a href="mailto:Shailesh.Deotale@ind.tuv.com">Shailesh.Deotale@ind.tuv.com</a> b. <a href="mailto:ravi.kumar@ind.tuv.com">ravi.kumar@ind.tuv.com</a> c. <a href="mailto:rupeshkumar.singh@ind.tuv.com">rupeshkumar.singh@ind.tuv.com</a> d. <a href="mailto:Neeraj.Chaturvedi@ind.tuv.com">Neeraj.Chaturvedi@ind.tuv.com</a>
ix.	M/s. Bureau Veritas (India) Private Limited	a. <a href="mailto:udit.chopra@bureauveritas.com">udit.chopra@bureauveritas.com</a> b. <a href="mailto:vishal.sapale@bureauveritas.com">vishal.sapale@bureauveritas.com</a> c. <a href="mailto:dinesh.sukhramani@bureauveritas.com">dinesh.sukhramani@bureauveritas.com</a> d. <a href="mailto:p.sridhar@bureauveritas.com">p.sridhar@bureauveritas.com</a>

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		e. <a href="mailto:hariprasad.jhawar@bureauveritas.com">hariprasad.jhawar@bureauveritas.com</a> f. <a href="mailto:amit.shaw@bureauveritas.com">amit.shaw@bureauveritas.com</a> g. <a href="mailto:business.support@bureauveritas.com">business.support@bureauveritas.com</a> h. <a href="mailto:labhanshu.sharma@bureauveritas.com">labhanshu.sharma@bureauveritas.com</a> i. <a href="mailto:pramodkumar.yadav@bureauveritas.com">pramodkumar.yadav@bureauveritas.com</a> j. <a href="mailto:sonal.lad@bureauveritas.com">sonal.lad@bureauveritas.com</a> k. <a href="mailto:bvindia.corporate@in.bureauveritas.com">bvindia.corporate@in.bureauveritas.com</a>
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- 9.2 The Bidders have to get verified and certified the various documents required against BEC/BRC of the tender by anyone of the above Independent Inspection Agencies and submit the duly certified Inspection Certificate by the Inspection Agencies along with the Technical Bid of the Tender. All Charges of the Third-party Independent Inspection Agencies towards verification of bidder's documents and certification thereof shall be borne by the respective bidders and Payments on account of above inspection, verification and certification shall be made directly by the Bidder to the Inspection Agency(s). OIL will not be responsible for any payment dispute between Bidders and Third Party Inspection Agencies.
- 9.3 As mentioned above, Bidder(s) have to submit the verified documents along with the Technical Bids. Bid submitted with un-verified supporting documents shall not be considered. However, in case a bidder submits its bid alongwith all relevant supporting documents as per BEC/BRC without getting all/some of them verified by the designated Independent Inspection agency, such bid can be provisionally considered provided it is accompanied by an Undertaking by the Bidder on their official letterhead to submit the duly verified copies/verification certificate within 07 (Seven) days of bid opening. Company will neither send any reminder nor seek any clarification in this regard from such bidders, and the bid will be rejected outright if the bidder fails to submit the verified copies/verification certificate within 07 (Seven) days of bid opening at its own risk and responsibility.
- 9.4 The methodology of inspection/ verification of documents followed by the agencies is broadly as under but not limited to:
- (a) It is obligatory on the part of the interested Bidders, who choose to participate against the tender, to understand the tender requirements in entirety and the requisite documents sought for in support of the Bid Rejection & Bid Evaluation Criteria (BEC/BRC) mentioned in the tender in particular. The Bidder must produce all the appropriate documents before any of the OIL's empaneled third party certifying agencies for verification/certification. Neither OIL nor the third party certifying agency shall be held accountable in any manner regarding the choice of documents by the bidder for verification. Therefore, getting the appropriate documents

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inspected/verified by the agency in support of BEC/BRC clauses is the sole responsibility of the Bidder.

(b) The prospective bidder shall contact any of the empaneled inspection agencies. The agency shall go through the Tender Document, especially the requirements of BEC/BRC and list the documents to be verified. They shall depute their qualified/competent inspector to the Bidder's premises to check the original documents and certify the copies which the bidder shall submit along with their bids. OIL will reserve the right to ask the inspection agencies to verify the documents with source, if required **at no extra cost to OIL. Verification of documents by OIL's empaneled third party agency shall not automatically make the bidder eligible for award of contract.**

(c) Verification of documents (but not limited to) are normally categorized as under:

**i. General Requirement:**

- Check Bidder's PAN Card
- Check Bidder's GST Certificate
- Check ITR of company
- Check Bidder's Certificate of Incorporation – Domestic Bidder.

**ii. Additional Documents : (If applicable against the tender)**

- Joint Ventures Agreements – To cross-check with JV Partners
- Consortium Agreements – To cross-check with Consortium Partners
- Holding/Parent/Subsidiary/Sister Subsidiary/Co-Subsidiary Company – To check the Share Holding pattern

**iii. Technical Criteria**

- To check Experience Proof- Completion Certificates, Reference contact verification, Original Work Order/Contract Copy and any other document(s), if called for vide BEC/BRC of the Tender.

**iv. Financial Criteria**

- Check and verify Audited Balance Sheet/CA certificate
- To check the Line of Credit, if incorporated in the tender.

**Notes:**

- (i) **If any documents LOI/LOA/Contracts etc. are submitted towards BEC/BRC experience criteria issued by Oil India Limited, such documents need not be verified by TPI agency.**

- (ii) **Undertaking from TPI Agency as per format (Proforma-V) enclosed should be submitted along with the Bid.**

**10.0 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 BEC/BRC**

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