

NIT FOR TENDER NO. CGI1629P23

OIL INDIA LIMITED
(A Government of India Enterprise)
Pipeline Headquarters
P. O. –Udayan Vihar, Guwahati-781171, Assam, India
E mail: ramanujd@oilindia.in

E-Tender

OIL INDIA LIMITED invites Competitive Domestic Bid through its e-procurement portal “<https://etender.srm.oilindia.in/irj/portal>” for the following Services:

Tender No	Bid Closing Date & Time	Service Description
CGI1629P23	22.11.2022 at 11:00AM	HIRING OF CONSULTANCY SERVICES FOR PROJECT MANAGEMENT (PMC) FOR 5 NOS. OF MICROTUNNELLING WORK AND INSTALLATION OF HYDROCARBON PIPELINES INSIDE THE TUNNEL ALONG OIL’S ROW/ROU IN THE STATE OF ASSAM AND WEST BENGAL

The details of IFB and procedures for applying & participation can be viewed using “Guest Login” provided in the e-procurement portal and also in OIL’s web site www.oil-india.com. The link to OIL’s E-Procurement portal has also been provided through OIL’s website

All corrigenda, addenda, amendments, time extension, etc. to the tender will be hosted on above Website and e-portal only and no separate notification shall be issued in the press. Bidders should regularly visit above website and e-portal to keep themselves updated.

All corrigenda, addenda, amendments, time extension, etc. to the tender will be hosted on above Website and e-portal only and no separate notification shall be issued in the press. Bidders should regularly visit above website and e-portal to keep themselves updated.

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

BID EVALUATION CRITERIA (BEC)

BID EVALUATION CRITERIA (BEC):

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. Bidders are advised not to take any exception/deviations to the bid document.

ELIGIBILITY CRITERIA:

The bidder must be incorporated/registered 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) 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 authorized signatory of bidder having the Power of Attorney along with the bid specifying the LC Percentage and such undertaking shall become a part of the contract, if awarded [Format enclosed as **Proforma-XIV**]
- (c) Bidder to submit a copy of their Certificate of Incorporation/registration in India.

A) TECHNICAL CRITERIA

1.0 EXPERIENCE

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

- 1.1 The bidder shall be a Project Management Consultant (PMC) and shall have successfully carried out **One 'Similar Work' as defined below in India during past 7 years** (to be reckoned from the original bid closing date)

Definition of 'SIMILAR WORK':

“Project Management Consultant (PMC) Services for Design, Engineering, Procurement of Goods & services, Project Management & Construction management for **construction of Micro tunnel under River bed and installation of hydrocarbon pipeline inside the tunnel for minimum length of 100 meter** for any Central Govt./ State Govt./ Semi-Govt./ Public Sector Undertaking/ State Govt. Enterprise in India which has been successfully completed/ commissioned.

Note:

- (a) Experience of above similar work shall be for any Central Govt./ State Govt./ Semi-Govt./ Public Sector Undertaking/ State Govt. Enterprise/ any Public Limited Company within India and shall be in the name of bidder only, bid/ contract from sister concern/ group company shall not be considered and shall be rejected.
- (b) Job executed by a bidder for its own organization/ subsidiary shall not be considered as experience for the purpose under BEC and shall be rejected.
- (c) Bids on Consortium or Joint venture basis are not acceptable and shall be rejected.
- (d) Experience of ongoing works which are yet to be commissioned shall not be considered and shall be rejected.
- (e) PMC service shall include Design, Basic Engineering, Construction Management and Site supervision & monitoring.
- (f) 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/ commissioning is within the prescribed 07 (seven) years reckoned from the original bid closing date, such work experience will be considered for evaluation
- (g) Work executed amount shall be exclusive of GST/ Tax
- (h) SIMILAR work executed by a bidder as a Sub-Contract shall not be considered as experience for the purpose of meeting BEC and shall be rejected.

1.2 Documents required to be submitted as proof of above:

- (a) PROFORMA-BEC duly filled up
- (b) Letter of Award/ Work Order copy/ Contract document showing **Scope of work** complying with the requirement of 'Similar Work' definition.
- (c) Completion Certificate issued by Project proponent (owner) in their letterhead having following details:
 - Title of project/ contract
 - Original period of PMC service as per Letter of Award
 - Date of start of the work
 - Date of completion/ commissioning of the work
 - Total executed value. In case GST inclusion/ exclusion is not explicitly mentioned in the completion certificate and cannot be substantiate from other supporting documents, executed amount mentioned in the completion certificate will be presumed as inclusive of GST.
- (d) In case, required details are not clearly mentioned in the above documents, bidder shall submit other relevant additional supporting documents as proof of scope of work, date of completion/ commissioning of work and total executed value against the work(s).

Note:

It shall be the bidder's responsibility to ensure that the documents submitted in compliance of the experience criteria is clear and adequate.

2.0 VERIFICATION BY INDEPENDENT INSPECTION AGENCIES:

2.1 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 of various documents required against BEC/BRC of the tender:

- i. M/s. RINA India Pvt. Ltd.
- ii. M/s. Dr. Amin Controller Pvt. Ltd.
- iii. M/s. Germanischer Llyod Industrial Services GmbH (DNV GL- Oil & Gas)
- iv. M/s. TÜV SÜD South Asia Pvt. Ltd.
- v. M/s. IRCLASS Systems and Solutions Private Limited
- vi. M/s. Gulf Llyods Industrial Services (India) Pvt. Ltd.
- vii. M/s. TUV India Private Limited
- viii. M/s. TÜV Rheinland (India) Pvt. Ltd.
- ix. M/s. Bureau Veritas (India) Private Limited

Sl. No.	Name of Independent In- spection Agency	Contact E-mail ID
i.	M/s. RINA India Pvt. Ltd.	a. ssd@rina.org b. Andrea.Vattuone@rina.org
ii.	M/s. Dr. Amin Controllers Pvt. Ltd.	a. rkjain@rcaindia.net b. info@rcaindia.net
iii.	M/s. Germanischer Llyod Industrial Services GmbH (DNV GL- Oil & Gas)	a. mangesh.gaonkar@dnvgl.com
iv.	M/s. TÜV SÜD South Asia Pvt. Ltd.	a. Jaimin.Bhatt@tuv-sud.in b. sanjaykumar.singh@tuv-sud.in c. Pankaj.Narkhede@tuv-sud.in d. Ajit.Yadav@tuv-sud.in
v.	M/s. IRCLASS Systems and Solutions Private Limited	a. abhishek.singh@irclass.org b. pradeep.bansal@irclass.org c. Asim.Hajwani@irclass.org d. Amit.Ketkar@irclass.org e. industrial_services@irclass.org
vi.	M/s. Gulf Llyods Industri- al Services (India) Pvt. Ltd.	a. contact@gulflloyds.com b. bbhavsar@gulfllyods.com c. inspection@gulflloyds.com d. gulflloyds.india@gmail.com
vii.	M/s. TUV India Private Limited	a. salim@tuv-nord.com b. delhi@tuv_nord.com
viii.	M/s. TÜV Rheinland (In- dia) Pvt. Ltd.	a. Shailesh.Deotale@ind.tuv.com b. ravi.kumar@ind.tuv.com c. rupeshkumar.singh@ind.tuv.com d. Neeraj.Chaturvedi@ind.tuv.com
ix.	M/s. Bureau Veritas (In- dia) Private Limited	a. udit.chopra@bureauveritas.com b. vishal.sapale@bureauveritas.com c. dinesh.sukhramani@bureauveritas.com d. p.sridhar@bureauveritas.com e. hariprasad.jhawar@bureauveritas.com f. amit.shaw@bureauveritas.com g. business.support@bureauveritas.com h. labhanshu.sharma@bureauveritas.com i. pramodkumar.yadav@bureauveritas.com m j. sonal.lad@bureauveritas.com k. bvindia.corporate@in.bureauveritas.com

2.2 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.

2.3 As mentioned above, Bidder(s) have to submit the verified documents along with the Technical Bids. Bid submitted with unverified supporting documents shall not be normally 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 seven (7) days of actual 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 seven (7) days of actual bid opening at its own risk and responsibility. If a bidder does not submit the undertaking towards submission of third party certification within 7 days from date of Bid Closing date, but certified document reaches us within the cut-off date of above seven (7) days, then such bids shall be considered.

2.4 The methodology of inspection/ verification of documents followed by the agencies is broadly as under but not limited to :

2.4.1 The prospective bidder will contact any of the empanelled inspection agencies against such tender. When prospective bidders approach any of the OIL's empanelled Inspection Agency, the agency will ask for the tender document and should go through the Tender Document, especially the requirements of BEC/BRC and list the documents to be verified. The inspection Agency 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. A copy of the Inspection Certificate shall be directly sent to the Concerned Tendering officer of OIL INDIA LIMITED, mentioned in the respective tender.

2.4.2 Verification of documents are normally categorised as under:

General Requirement:

- a) Check Bidder's PAN Card
- b) Check Bidder's GST Certificate

- c) Check ITR of company – last three years (minimum)
- d) Check Bidder's Certificate of Incorporation – Domestic Bidder.

Technical Criteria

- a) Experience Proof –To check Original Work Order as per BEC /criteria
- b) To check Company Name
- c) To check Similar Work Definition against Work Order, Scope of work (JV or Consortium too)
- d) To check the Execution period
- e) To Check the Completion Certificates – Letter of Appreciations of proper Execution
- f) Reference contact verification and true copy verification
- g) Match Original Work Order/Contract Copy with Soft Copies or notarized scan copies

Financial Criteria

- a) Check Audited Balance Sheet – Turnover as per BEC along with the bidder's compliance with respect to the following clause: Considering the time required for preparation of Financial Statements, if the last date of the 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 affidavit/undertaking certifying that 'the balance sheet/Financial Statements for the financial year 2021-22 (as the case may be) has actually not been audited as on the Original bid closing date as per format'.
 - i. Check Net-Worth – as per BEC
 - ii. Check Notarization validity
 - iii. Check original audited Balance Sheet with scan copies.
 - iv. To check the Line of Credit, if incorporated in the tender.

B) FINANCIAL CRITERIA:

1.0 The following Financial criteria shall have to be met by the bidder:

Sl.	Parameter	Financial Criteria
1	Annual Turnover	Minimum ₹ 98,00,800.00 in any of the preceding 3 (Three) financial years, considered from the original bid closing date.
2	Net worth	Net Worth of the bidder should be positive for the preceding financial/ accounting year.

Note to Financial Criteria:

(a) 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 affidavit/undertaking certifying that the balance sheet/Financial Statements for the financial year **2021-22 (or as the case may be)** has not been audited as on bid closing date.

(b) 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,

OR

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

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 (CAG) of India and the Central Government, their certificates may be accepted even though FRN is not available. However, the bidder has to provide documentary evidence for the same.

(c) All certificates issued by a Chartered Accountant in practice must mandatorily mention **UDIN** (Unique Document Identification Number) as instructed by Institute of Chartered Accountants of India (ICAI).

C) COMMERCIAL EVALUATION CRITERIA

1.0 Bids shall be submitted under **SINGLE STAGE TWO BID SYSTEMS** 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 & Terms of Reference specified in the tender in "**Technical RFX Response**" **Tab** and Priced Bid as per Schedule of Rates is to be uploaded in the "**Notes & Attachments**" **Tab**. Bids shall be rejected outright if the prices are indicated in the technical bids. Bids not conforming to this two bid system shall be rejected outright.

2.0 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.

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

4.0 The Integrity Pact must be uploaded in OIL's E-Procurement portal along with the Technical Bid digitally signed by the same signatory who digitally signed the Bid i.e. who is duly authorized to sign the Bid. If any bidder refuses to sign Integrity Pact or declines to submit the Integrity Pact, their bid will be rejected.

5.0 Physical Bids, if any received from the bidders, shall not be considered and will be rejected.

6.0 Bids submitted after the Bid Closing Date and Time will be rejected. Bids containing incorrect statement will be rejected.

7.0 Bids received through the e-procurement portal shall only be accepted. Bids received in any other form shall not be accepted.

8.0 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 will not be considered and will be straightway rejected.

9.0 Bids shall be typed or written in indelible ink and shall be digitally signed by the bidder or his authorized representative.

10.0 Any document(s) wherever called for, and submitted by bidders, shall be legible, 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.

11.0 Any Bid containing false statement will be rejected.

12.0 Bidders must quote clearly and strictly in accordance with the price schedule outlined in Schedule of Rates of Bid Document; otherwise the Bid will be summarily rejected.

13.0 Non-submission of the documents as specified in BEC will result in rejection of bids.

14.0 Bidder shall fulfill all the relevant clauses applicable for this e-Tender.

15.0 Bidder must accept and comply with the following standard commercial terms as given in the Bid Document in toto failing which bid will be rejected –

- i) Performance Security
- ii) Force Majeure
- iii) Tax Liabilities
- iv) Arbitration
- v) Acceptance of Jurisdiction and Applicable Law
- vi) Liquidated Damage
- vii) Safety & Labour Law
- viii) Termination
- ix) Integrity Pact
- x) Warranty and remedy of defects
- xi) Liability
- xii) Insurance
- xiii) Any other condition specifically mentioned elsewhere in the tender documents that non-compliance of the clause shall lead to rejection of the bid.
- xiv) Firm Price
- xv) Scope of work
- xvi) Specifications
- xvii) Price Schedule
- xviii) Delivery / Completion Schedule
- xix) Period of Validity of Bid
- xx) Guarantee of material / work
- xxi) Applicable Laws

16.0 The originals of the documents submitted by the bidder shall have to be produced by the bidder(s) to OIL as and when asked for.

17.0 Bid security/EMD is not required against the tender. However, Bid Security Declaration is required and same must be submitted along with technical bid. The Bid Security Declaration format is attached vide Proforma D. Any bid not accompanied with Bid Security Declaration (As per Format) will be rejected without any further consideration. MSME Bidders are also required to furnish the Bid Security Declaration as per format

18.0 All the Bids must be Digitally Signed using Class III digital certificate (e-commerce application) with 'Certificate Type: Organization Certificate' as per Indian IT Act obtained from the licensed Certifying Authorities operating under the Root Certifying Authority of India (RCAI), Controller of Certifying Authorities (CCA) of India. The bid signed using other than "Class 3" and "Organization" digital certificate, will be rejected.

19.0 Successful bidder will be required to furnish a Performance Bank Guarantee @ 03% of the contract value.

20.0 The following points are deemed as "non-negotiable" and offer shall be rejected straightaway without seeking clarification:

- i. Validity of bid shorter than validity indicated in the tender.

- ii. Bid Security declaration not received as per format
- iii. In case the party refuses to sign Integrity Pact.

21.0 To ascertain the inter-se-ranking, the comparison of the responsive bids will be made.

22.0 Price Schedule:

22.1 Bidder shall submit the Price Break up as per Proforma-A. Bidders should fill up the annexure, sign and upload under “Notes & Attachments” > “Attachments” only. Evaluation of offers shall be done on as per price bid format.

22.2 Comparison of offers shall be done on as per Evaluation methodology and contract shall be awarded to the L1 bidder.

22.3 If there is any discrepancy between the unit price and the total price, the unit price will prevail and the total price shall be corrected. Similarly, if there is any discrepancy between words and figure, the amounts in words shall prevail and will be adopted for evaluation.

22.4 Price bids of only those bidders will be opened whose offers are found to be tech- no-commercially acceptable.

23.0 The successful bidder /contractor shall undertake to indemnify the company against all claims which may arise under the under noted Acts during signing of the contract:

- a) The FACTORY Act - 1948
- b) The Minimum Wages Act 1948
- c) The Workman’s compensation Act 1923
- d) The payment of wages Act 1963
- e) The payment of Bonus Act 1965
- f) The Contract Labor (Regulation and Abolition) Act 1970 and the rules framed thereunder.
- g) Employees’ Pension Scheme 1995.
- h) Interstate Migrant (regulation of Employment and Condition of Service) Act 1979
- i) The Employees Provident Fund and Miscellaneous Provisions Act 1952
- j) AGST Act/VAT
- k) GST Act

24.0 Documentary Evidence in support of sound financial standing, Bank Account Number from any Nationalized Bank and PAN card number to be submitted by bidder.

25.0 Other Information /Documents: Bidders must furnish the following information with relevant documents wherever necessary:

- a) Tax Exemption Certificate, if any, if /applicable.
- b) PAN no. (photocopy of the PAN card required).
- c) GST registration No.

- d) Bank account No. with name of Bank, Type of account, Bank address.
- e) P.F. Account No. / Code.
- f) ESI registration no.

D) EVALUATION OF BIDS

1.0 Bids qualifying as per terms of Technical Criteria (Para A above) and Financial Criteria (Para B above) shall be eligible for this evaluation.

2.0 To ascertain the inter-se-ranking, the comparison of the responsive bids will be made on the basis of total cost of various works envisaged under the contract.

3.0 In case more than one bidder emerges as lowest bidder due to equal rate quoted by the bidder, then the lowest bidder will be decided by draw of lots. Company's decision in this regard is final and binding to all bidders

4.0 Any discount/rebates offered shall not be considered for evaluation of bids. However, if the lowest bidder happens to be the final acceptable bidder for award of contract and if they have offered any discount/rebate the contract shall be awarded after taking into consideration such discount/rebate after negotiation or otherwise.

5.0 PRICE EVALUATION CRITERIA:

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 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.

5.3 Bidders are required to quote for all the items as per Price Bid Format; otherwise the offer of the bidder will be straightway rejected.

5.4 If there is any discrepancy between the unit price and the total price, the total price will prevail and the unit price shall be corrected. Similarly, if there is any discrepancy between words and figure, the amounts in words shall prevail and will be adopted for evaluation.

5.5 It is 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.

5.6 The bidders are advised not to offer any discount/rebate separately and to offer their prices after considering discount/rebate, if any.

5.7 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.

5.8 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.

5.9 In case more than one bidder emerges as lowest bidder due to equal rate quoted by the bidder, then the lowest bidder will be decided by draw of lots. Company's decision in this regard is final and binding to all bidders.

5.10 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.

5.11 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.

5.12 Based on the evaluation of techno-commercially qualified bidders, the job will be awarded to L-1 bidder.

5.13 PURCHASE PREFERENCE CLAUSE:

5.13.1 PURCHASE PREFERENCE TO MSE BIDDERS: Purchase Preference to Micro and Small Enterprises is applicable for this tender. Bidders seeking benefits, under Purchase Preference Policy (MSE) shall have to be registered under Udyam Registration or UAM.

a) Purchase Preference to Micro and Small Enterprises (MSEs) falling within the price band of L-1+ 15% and Purchase preference policy-linked with Local Content (PP-LC) falling within the price band of L-1+ 20% shall be applicable in this tender.

b) In case a bidder is eligible to seek benefits under PP-LC policy as well as Public Procurement Policy for MSEs - Order 2012, then the bidders should categorically seek benefits against only one of the two policies i.e. either PP-LC or MSE policy. Bidder to categorically confirm under which policy i.e. PP-LC or MSE, they want to avail the benefit and to submit requisite document/certificate in support to avail this benefit. The bids shall be evaluated based on their declaration. No benefit shall be given if the bid is submitted without any above declaration along with supporting document as per the respective policies. Please refer PROFORMA-XVII to confirm under which category (PPLC of MSE) the benefit has been sought.

Documentation required to be submitted by MSEs: Categorization and various criteria applicable to MSE bidders shall be guided by the Gazette Notification No. CG-DL-E-26062020-220191 dated 26.06.2020 issued by MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES.

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

Udyam Registration Number with Udyam Registration Certificate

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.

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

i) 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. Bidders to check the provisions of the Notification for their eligibility to bid and seek benefits for Purchase preference, accordingly. Purchase preference will be applicable as per the Notification(s) and any amendment thereof.

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.

ii) Upon award of Contract based on PP-LC policy, the bidder shall have to furnish their compliance to all the provisions of PP-LC policy and to submit additional 10% Bank Guarantee of the total Contract value (format enclosed as PROFORMA-XV) towards fulfilment of conditions pertaining to Local Contents in accordance with the value mentioned in the certificate of LC.

5.13.3 AWARD OF CONTRACT: The total requirement of hiring tendered services is not split table under the Purchase Preference policy. In case of participation of both MSE and LC bidder(s) against the tender, MSE bidder(s) will be given preference over LC bidder(s) to match with L1 bidder as per Public Procurement Policy. Accordingly, Purchase preference shall be extended as per the following:

a) Purchase preference will be given to MSEs as defined in Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro, Small and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail the Purchase preference for services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered service. If L-1 is not an MSE and MSE Service Provider (s) has/have quoted price within L-1+ 15% of margin of purchase preference /price band defined in relevant policy, then 100% order quantity will be awarded to such MSE bidder(s) subject to acceptance of L1 bid price.

b) (i) In case of non-eligible MSE bidder (s): Among all qualified bids, the lowest bid will be termed as L1. If L1 is "Class-I local supplier", the contract for full quantity will be awarded to L1.

(ii) If L1 bid is not a "Class-I local supplier", 50% of the order quantity shall be awarded to L1. Thereafter, the lowest bidder among the "Class-I local supplier" will be invited to match the L1 price for the remaining 50% quantity subject to the Class-

I local supplier's quoted price falling within the margin of purchase preference, and contract for that quantity shall be awarded to such "Class-I local supplier" subject to matching the L1 price. In case such lowest "Class-I local supplier" fails to match the L1 price or accepts less than the offered quantity, the next higher "Class-I local supplier" within the margin of purchase preference shall be invited to match the L1 price for remaining quantity and so on, and contract shall be awarded accordingly. In case some quantity is still left uncovered on Class-I local suppliers, then such balance quantity may also be ordered on the L1 bidder.

G) GENERAL:

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.

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 on 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 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.

4 Bidder(s) must note that requisite information(s)/financial values etc. as required in the BEC/BRC & Tender are clearly understandable from the supporting documents submitted by the Bidder(s); otherwise Bids shall be rejected.

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.

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.

7 The following Clauses with all its sub-clauses should be agreed in toto, failing which the bid will be rejected. To this effect Bidder shall submit an undertaking along with the Technical Bid.

- a) Performance Security Clause
- b) Force Majeure Clause
- c) Termination Clause
- d) Settlement of disputes Clause
- e) Liquidated Damages Clause.
- f) Acceptance of Jurisdiction and applicable law.
- g) Tax liabilities clause.

- h) Insurance clause.
- i) With holding clause.
- j) Liability clause.
- k) Set off clause

8.0 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.

**FORMAT FOR CHARTERED ACCOUNTANT / STATUTORY AUDITOR CERTIFICATE
FOR FINANCIAL CAPABILITY OF THE BIDDER**

We have verified the Annual Accounts and other relevant records of
M/s.....(Name of the bidder) and certify the following:

A. ANNUAL TURNOVER OF LAST 3 YEARS:

Year	Amount (Currency)
Year 1:	
Year 2:	
Year 3:	

B. FINANCIAL DATA FOR LAST AUDITED FINANCIAL YEAR :

Description	Year.....
	Amount (Currency)
1. Current Assets	
2. Current Liabilities	
3. Working Capital	
4. Net Worth	
5. RETURN ON EQUITY	

Name of Audit Firm:

[Signature of Authorized Signatory]

Date:

Chartered Accountant Name:

Designation:

Seal:

Membership no.

UDIN:

Instructions:

1. The financial year would be the same as one normally followed by the bidder for its Annual Report.
2. The bidder shall provide the audited annual financial statements as required for this Tender document. Failure to do so would result in the Proposal being considered as non-responsive. This certificate is to be submitted on the letter head of Chartered Accountant.

Annexure – B

RECORD OF BIDDER'S PAST RELEVANT EXPERIENCE:

Sl No.	Clients Name, address & contact Telephone No.	Contract No.	Brief description of the contract	Contract period	Contract Value

Signature of the bidder