



OIL INDIA LIMITED
(A Government of India Enterprises)
PO : Duliajan – 786602
Assam (India)

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TENDER NO. **SSH5148P21/03**

DATE: **18.09.2020**

INVITATION TO e-BID

Dear Sirs,

OIL invites online Local Competitive Bids (LCB) under **Single Stage Two Bid System** for entering into a **Rate Contract for a period of two (02) years** for supply of **Gas Lift Valve & Redress Kits of various sizes** through **E-Procurement**. The details of the tender are as under:

1. Details of items with specification, quantity and special notes are given in **Annexure– IA**.
2. General terms and Conditions of the tender are as per attached document No. MM/LOCAL/E-01/2005-May2020.
3. The prescribed Bid Forms for submission of bids are available in the tender document folder. Technical Checklist and Commercial Checklist vide Annexure IV must be filled-up and submitted along with the technical bid.
4. Type of Bidding : **SINGLE STAGE TWO BID SYSTEM**
5. Performance Security : **Applicable @5% of Total Evaluated Value of Rate Contract**
6. Bid Closing/Opening Date : **23.12.2020**
7. Type of Tender : **International Competitive Bidding**
8. Bid Security : **Applicable (as mentioned in Annex.-IA)**
9. Bid Security Validity : **31.07.2021**
10. Bid Validity : Bid should be valid for minimum 120 days from the Bid Closing Date
11. Integrity Pact : **Applicable**

Special Note:

1.0 The tender will be governed by “General Terms & Conditions” for e-Procurement as per Booklet NO. MM/LOCAL/E-01/2005-May2020 for E-procurement (LCB Tenders) including Amendment and Addendum. **Only Indigenous bidders are eligible to participate in this tender. Bidders are advised to quote in Indian national rupees (INR) only. Offer in any currency other than INR will not be acceptable.**

2.0 Please note that all tender forms and supporting documents are to be submitted through OIL's e-Procurement site only except following documents which are to be submitted manually (in addition to uploading in e-tender portal) in sealed envelope super-scribed with Tender No. and Due date to **The CGM Materials-(HoD), Materials Department, Oil India Limited, Duliajan- 786602, Assam** on or before **13:00 Hrs (IST)** on the Bid Closing Date mentioned in the Tender.

- a) Original Bid Security/EMD.
- b) Voluminous document, if any, like Literature, Detailed Catalogue of the products etc.
- c) Any other document required to be submitted in original as per tender requirement.

All documents submitted in physical form should be signed on all pages by the authorised signatory of the bidder and to be submitted in triplicate.

3.0 Bidders are requested to examine all instructions, forms, terms and specifications in the bid. Failure to furnish all information required as per the bid or submission of offers not substantially responsive to the bid in every respect will be at the bidders risk and may result in the rejection of its offer without seeking any clarifications.

4.0 OIL INDIA LIMITED (OIL) has upgraded its E-tender Portal. As part of the new system, the intending bidder must have Encryption Certificate along with Digital Signature Certificate (DSC) of Class III [Organization]. The date for implementation of new system is 12th April 2017 and the requirement of the new DSC will be applicable for the tenders floated on 12th April 2017 onwards. All our current and prospective esteemed bidders are therefore requested to acquire Class III DSC [Organization] along with Encryption Certificate issued by any of the Licensed Certifying Authorities (CA) operating under Controller of Certifying Authorities (CCA) of India as per Indian IT Act 2000. Guideline for getting Digital Signature and other related information are available on the e-tender website www.oilindia.com. The bid signed using any other digital certificate or digital certificate without organization name of the bidder, will be liable for rejection.

5.0 Encryption certificate is mandatorily required for submission of bid. In case bidder created response using one certificate (using encryption key) and bidder subsequently changes the digital signature certificate then the old certificate (used for encryption) is required in order to decrypt his encrypted response for getting the edit mode of his response. Once decryption is done, the bidder may use his new DSC certificate for uploading and submission of his offer. It is the sole responsibility of the bidder to keep their DSC certificate properly. In case of loss of DSC certificate, Oil India Limited is not responsible.

6.0 All the Bids must be Digitally Signed using "Class 3" digital certificate (e-commerce application) with organisation name 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" digital certificate without organization name, will be liable for rejection.

7.0 For convenience of the qualified Bidders and to improve transparency, the rates/cost quoted by bidders against OIL's e-tenders shall be available for online viewing by such Bidders whose price bids are opened by Company. A Bidder can view item-wise rates/costs of all other such peer bidders against the tender immediately after price bid opening, if the e-tender is floated by Company with PRICE CONDITION. In case the Price-Bid is invited by Company through attachment from under "Notes & Attachment" (i.e. NO PRICE CONDITION), Bidders must upload their detailed Price-Bid as per the prescribed format under "NOTES & ATTACHMENT", in addition to filling up the "TOTAL BID VALUE" tab taking into account the cost of all individual line items and other applicable charges like freight, tax, duties, levies etc. Under NO PRICE condition (i.e. Price Bid in attachment form), the "Total Bid Value" as calculated & quoted by the Bidder shall only be shared amongst the eligible bidders and Company will not assume any responsibility whatsoever towards calculation errors/omissions therein, if any. Notwithstanding to sharing the "Total Bid Value" or the same is whether filled up by the Bidder or not, Company will evaluate the cost details to ascertain the inter-se-ranking of

bidders strictly as per the uploaded attachment and Bid Evaluation Criteria only. Online view of prices as above shall be available to the Bidders only upto seven days from the date of Price-Bid opening of the e-tender.

- 8.0** The items covered by this tender shall be used by Oil India Limited in the PEL/ML areas which are issued/renewed after 01/04/99 and hence Indigenous bidder shall be eligible for concessional rate of GST (for Invoice valuing INR 1.00 Lakh and above) against Essentiality Certificate wherever applicable, as per Notification No.3/2017 – Integrated/ Central Tax (Rate) dated 28th June, 2017. However, Indian bidders are requested to quote actual rate of GST with HSN Code.
- 9.0** Bidders must ensure that their bid is uploaded in the system before the tender closing date and time. Also, they must ensure that above documents which are to be submitted in a sealed envelope are also submitted at the above mentioned address before the bid closing date and time failing which the offer shall be rejected.
- 10.0** Bidders are requested to examine the instructions, forms, terms and specifications in the bid. Failure to furnish an information required as per the bid or submission of offers not substantially responsive to the bid in every respect will be at the bidder's risk and may result in rejection of its offer without seeking any clarifications.
- 11.0** Please refer to Annexure-CCC (BEC/BRC) applicable against this tender. Please ensure compliance to BEC/BRC and submit the requisite documentation, failing which, offer may be liable for rejection.
- 12.0** To ascertain substantial responsiveness of the bid, OIL reserves the right to ask the bidder for clarifications in respect of Clauses covered under the BRC also and such clarifications fulfilling the BRC clauses must be received on or before the deadline given by the company, failing which, the offer will be summarily rejected.
- 13.0** Against **Bid Security/EMD/Performance Bank Guarantee- Only payments through online mode or submission of Bank Guarantee/LC will be acceptable.** DD/Cheques/Cashier Cheque or any other mode shall NOT be acceptable.
- 14.0** The prices of the items should be quoted as per Annexure P and uploaded separately under the tab "Notes & Attachment".
- 15.0** Bid must be submitted electronically only through OIL's e-procurement portal. Bid submitted in any other form will be rejected.
- 16.0** Please refer to the **"New Vendor Manual (effective 12.04.2017)"** available in the login Page of the OIL's E-tender Portal.
- 17.0** OIL INDIA LIMITED (OIL) has upgraded its E-tender Portal. All the bidders are requested to go through the following two documents before uploading their bid. These documents are also uploaded as part of NIT.
 - 15.1 Guidelines to Bidders for participating in OIL.
 - 15.2 Instruction to bidder for submission.
- 18.0 FURNISHING FRAUDULENT INFORMATION/ DOCUMENT:** If it is found that a Bidder has furnished fraudulent document/information, the Bid Security/Performance Security shall be forfeited and the party will be debarred for a period of 3(three) years from date of detection of such fraudulent act, besides the legal action. In case of major and serious fraud, period of debarment may be enhanced. **In this regard, bidders are requested to submit an Undertaking as per ANNEXURE-K as under along with their offer failing which their offer shall be liable for rejection.**

19.0 Bids received in physical form against online invitation through e-portal shall be rejected (except the documents specifically called for in hard copies, if any). Similarly, Bids received after the bid closing date and time shall be rejected. Also, modifications to bids received after the bid closing date & time shall not be considered.

Yours Faithfully,

Sd-
(AAYUSH SOMANI)
MANAGER MATERIALS (FS)
FOR CGM-MATERIALS (HOD)

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Tender Fee : INR 0.00 OR USD 0.00
 Bid Security Amount : INR 285,920.00 OR USD 3,795.00
 (or equivalent Amount in any currency)

Bidding Type : Two Bid

Bid Closing On : 23.12.2020 at 11:00 hrs. (IST)
 Bid Opening On : 23.12.2020 at 14:00 hrs. (IST)

Performance Guarantee : Applicable

OIL INDIA LIMITED invites Indiglobal tenders for items detailed below:

Item No./ Mat. Code	Material Description	Quantity	UOM
10 05738737	SPARES FOR GAS LIFT VALVE OF VARIOUS SIZES. Non-Retrieveable GLV; 5/32"	40	NO
20 05738738	Redress Kit for 5/32" GLV, comprising of minimum valve seat assembly, O rings, retainer rings, springs, tungsten carbide ball and stem, true arc ring, Check seat pad, gasket and Drill Core Valve	20	NO
30 05738739	Non-Retrieveable GLV; 3/16"	50	NO
40 05738740	Redress Kit for 3/16" GLV, comprising of minimum valve seat assembly, O rings, retainer rings, springs, tungsten carbide ball and stem, true arc ring, Check seat pad, gasket and Drill Core Valve	20	NO
50 05738741	Non-Retrieveable GLV; 7/32"	320	NO
60 05738742	Redress Kit for 7/32" GLV, comprising of minimum valve seat assembly, O rings, retainer rings, springs, tungsten carbide ball and stem, true arc ring, Check seat pad, gasket and Drill Core Valve	100	NO
70 05738743	Non-Retrieveable GLV; 1/4"	320	NO
80 05738744	Redress Kit for 1/4" GLV, comprising of minimum valve seat assembly, O rings, retainer rings, springs, tungsten carbide ball and stem, true arc ring, Check seat pad, gasket and Drill Core Valve	100	NO
90 05738745	Non-Retrieveable GLV; 5/16"	400	NO
100 05738746	Redress Kit for 5/16" GLV, comprising of minimum valve seat assembly, O rings, retainer rings, springs, tungsten carbide ball and stem, true arc ring, Check seat pad, gasket and Drill Core Valve	200	NO

Note description for item no./nos. : 10, 30, 50, 70, 90

Gas Lift Equipment to suit 34.21 kg/m (23PPF) x 139.7 mm (5.1/2" OD) casing and 9.67 Kg/m (6.5 PPF)x 73 mm (2.7/8" OD) 8RD EUE API Tubing as per the following detailed specification:
 1.0 Non-retrieveable casing pressure operated 25.4 mm (1") OD conventional type gas lift valve normally closed

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having port size of mentioned above. The valve must be in one piece construction dome and high quality long life monel material bellows module, replaceable type tungsten carbide ball & seat with 12.7 mm (1/2") NPT pin down.

2.0 Gas Lift Valves and Redress Kit shall be procured from the same source.

Special Notes:

1. Goods, materials to be supplied shall be new, of recent make, of the best quality & workmanship, and shall be guaranteed for a period of 18 months from the date of despatch or 12 months from the date of receipt at destination, whichever is earlier, against defects arising from faulty materials, workmanship or design. Defective goods / materials or parts notified by OIL to the Seller shall be replaced immediately by the Seller on FOR destination basis including payment of all taxes and duties at Seller's expense. This guarantee shall survive and hold good notwithstanding inspection, payment for and acceptance of the goods. The bidder shall confirm the same in the technical bid.

2. The bidder shall confirm that the Gas Lift Valves shall be suitable for following operational parameters

- a. Maximum working pressure : 5000 psig,
- b. Maximum working temperature : 275 Deg F,
- c. Inclination : upto 60 Deg,
- d. Condition : Tropical,
- e. Well Depth : 4500-5000 m (approx),
- f. Well Fluid : Oil, Gas & Water.

3. The Gas Lift Valves shall be supplied with integrated 25.4mm (1") OD reverse flow check valve or factory fitted & tested 25.4mm (1") OD reverse flow check valve having 12.7mm (1/2") NPT box up and pin down ends. The bidder shall confirm the same along with the technical bid.

4. The Gas Lift Valves shall be manufactured & tested with API 19G2 / ISO 17078-2 or former API 11V1 Standard as reference document. The bidder shall categorically confirm in the technical bid about the standard to be used.

In this regard, it is understood that API 11V1 licenses/applications have been withdrawn & the standard rendered obsolete, while new Standard 19G2 adopted & published in it's place does not cover Tubing Retrievable Gas Lift Valve. Hence, there is no API certification presently found applicable for Tubing Retrievable Gas Lift Valve.

However, standardisation of design & specification of Tubing Retrievable Gas Lift Valve to be supplied is required for compatibility & interchangeability reason in field operations, and to have standard quality assurance procedure during manufacturing & testing of the product.

Also, uniformity in vital specifications of products offered is essential for technical acceptance & price comparison during evaluation of bids. Hence, API 11V1 or API 19G2 / ISO 17074-2 Standard are to be used as reference document for manufacturing & testing of Gas Lift Valves regarding the following -

- a. Quality of raw material and mechanical properties
- b. Welding Requirements
- c. Probe or Travel testing & Load Rate determination for Gas Lift Valve
- d. Dynamic Flow Testing & Flow coefficient calculation for Gas Lift Valve
- e. Opening & Closing Pressure Testing for Gas Lift Valve
- f. Shelf (Bellows integrity) testing for Gas Lift Valve
- g. Port / Seat Leakage rate testing for Gas Lift Valve
- h. Back Check testing for Revere Flow Check Valve

5. The Bidder shall submit relevant drawing & literature along with technical bid, having following details,

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- a. Make/ model /part no. of all the quoted items as the case may be.
- b. Cross Sectional Drawing showing major dimensions.
- c. Spare part list with part numbers.
- d. Material specification of body, bellow, stem, seat, elastomer, ball, spring etc.
- e. Assembly & disassembly procedure, setting procedure, & storage procedure.
- f. Details of Gas Lift Valve as required for gas lift design {Area of port (AP), Area of Bellows (AB), Gas passage capacity under critical flow (Q in MSCF/Day) at a pressure PTRO, Maximum open stem Travel (In inches), Bellow load rate (in inches/PSI) etc}.

6. The bidder shall confirm that each gas-lift valve shall have OIL's Purchase order no., unique identification no. & manufacturer's name / logo permanently engraved on it. The identification number should not be washed during working life of the gas lift valve.

7. The bidder shall confirm that Third Party Inspection shall be carried out by Third Party Inspection Agency approved by Oil India Limited, and the reports shall be provided along with the materials. The scope of inspection will cover the followings, as and where applicable.

- i. Material certification, design validation, product functional tests & quality control with API 19G2 / ISO 17078-2 / API 11V1 as reference document
- ii. Adherence to approved drawing, workmanship and relevant specifications.
- iii. Any additional inspection deemed fit, with intimation to OIL.
- iv. Inspection certificates.

8. OIL's approved Third Party Inspection Agencies are M/S. Lloyds, M/S. Bureau Varitas, M/S. Rites, M/S. IRS, M/S. DNV & M/S Tuboscope.

9. All inclusive charges for Third Party Inspection must be indicated separately. Offers without any mention about Third Party Inspection charges will be considered as inclusive of Third Party Inspection charges. When a bidder mentions Third Party Inspection charges as extra without specifying the amount, the offer will be loaded with maximum value towards Third Party Inspection charges 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, Third Party Inspection charges mentioned by OIL on the Purchase Order will be binding on the bidder.

10. OIL reserves the right to witness/inspect the material at various stages starting from raw materials to finished product; the supplier shall intimate OIL for the above inspection minimum 15 days ahead of scheduled date of inspection. However, witnessing/inspecting of the above will be at OIL's discretion.

11. The supplier shall provide all relevant test/inspection certificates (including those from third party inspection agency) to OIL along with the supplies.

12. The bidder shall confirm that the Gas Lift Valves & check valves shall be packed suitably to avoid any damage during transit, and packing list shall be provided with each box for identification of materials at the time of receipt at destination.

13. The bidder shall confirm that the graph depicting valve load rates shall be handed over to OIL, along with the supply.

Note description for item no./nos. : 20, 40, 60, 80, 100

NOTE:

Redress Kit shall be procured from the same source of the GLV.

Standard Notes:

AA. This tender is floated to enter into a rate contract for a period of two (02) years, with a provision for extension by one (01) year, for supply of above items. The qty. indicated against each item is only tentative requirement and may increase or decrease depending on actual requirement. OIL will be at liberty to buy more or less qty. against each item within the overall value of rate contract during its currency. Formal Purchase orders placed against rate Contract will indicate the actual requirement. Order will be placed as and when required basis. The prices should remain firm during the period of Rate Contract.

1) This Tender has been floated for participation of Indigenous bidders only. Hence, only Indigenous bidders are eligible to participate against this tender.

2) Bidders are advised to quote in Indian national rupees (INR) only. Offer in any currency other than INR will not be acceptable.

3) The tender will be governed by "General Terms & Conditions" for e-Procurement as per Booklet NO. MM/LOCAL/E-01/2005-May2020 for E-procurement (LCB Tenders) including Amendment and Addendum.

4) The tender is invited under **SINGLE STAGE TWO BID SYSTEM**. The bidder should ensure that "**TECHNO-COMMERCIAL UNPRICED BID**" should contain details as mentioned in the technical specifications as well as BEC/ BRC and upload the same in the Technical Rfx Response-> User -> Technical Bid. Please go through the help document in details before uploading the document and ensure uploading of technical bid in the Technical Rfx Response-> User - > Technical Bid only.

The "PRICE BID" must contain the price schedule and the bidder's commercial terms and conditions. The priced bid of the items should be uploaded as an attachment under Notes & Attachments tab. **Please note that the Technical Rfx Response is meant for Technical Bid only. Therefore, no price should be given in above Technical Rfx otherwise the offer will be rejected. Priced bids of only those bidders will be opened whose offers are found to be techno-commercially acceptable.**

5) In Technical Bid opening, only Technical Rfx will be opened. Therefore, the bidder should ensure that "TECHNO-COMMERCIAL UNPRICED BID" should contain details as mentioned in the technical specifications as well as BEC/ BRC and upload the same in the Technical Rfx Response-> User - > Technical Bid. No price should be given in above Technical Rfx otherwise the offer will

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be rejected. Please go through the help document in details before uploading the document and ensure uploading of technical bid in the Technical RFX Response-> User - > Technical Bid only. The "PRICE BID" must contain the price schedule and the bidder's commercial terms and conditions. The prices bid of the items should be uploaded as an attachment under Notes & Attachments tab as per ANNEXURE-P.

6) Bidders are required to quote with minimum validity of 120 days from the Bid Closing Date as per NIT requirement. BIDS with lesser validity shall be rejected.

7) The original bid security (Amount is mentioned above and also in Rfx Parameters of the tender in OIL's e-portal) should reach us before bid closing date and time of the technical bid. Bid without original Bid Security will be rejected. The bidders who are exempted from submitting the Bid Bond should attach documentary evidence in the Technical RFX Response-> User-> Technical Bid as per General Terms and conditions for Local Tender (MM/LOCAL/E-01/2005-MAY2020). **The bid security shall be valid up to 31.07.2021.**

8) Performance Security @5% of the total evaluated value of the Rate Contract, i.e. 10% of the annualized value (excluding taxes and duties) is applicable against this tender. Successful bidder shall be required to furnish a Performance Security, equivalent to five percent (5%) of the total evaluated value of the Rate Contract, which should remain valid throughout the period of rate contract, including extension, if any. The successful bidder shall submit Performance Security within 30 days of award of rate contract, failing which OIL reserves the right to cancel the rate contract and forfeit their Bid Security. Bidders should undertake in their bids to submit Performance Security as stated above.

9) Evaluation of the items will be done on individual item basis. However, may please also note that the Gas Lift Valves & Redress Kits of same sizes will be procured from same sources due to compatibility reasons.

10) Bidders should submit their bids incorporating the following details:

- (i) GST Registration Details of the Supplier:
.....
..
- (ii) Item-wise HSN Code:
.....
..

(iii)	Applicable	Rate	of	GST:
.....				
..				

11) Bidders to note: OIL Duliajan's Provisional GSTIN No.: 18AAACO2352C1ZW.

12) Bidders to take special note of the following conditions:
a) Bidders without having E-tender Login ID and Password should complete their online registration at least seven (7) days prior to the scheduled bid closing date and time of the tender. For online registration, Bidder may visit the OIL's E-tender site <https://etender.srm.oilindia.in/irj/portal>.

b) Necessary Login ID & Password will be issued by OIL only after submitting the complete online registration by the Bidder. In the event of late registration/ incomplete registration by Bidder, Oil India Limited shall not be responsible for late allotment of User ID & Password and request for bid closing date extension on that plea shall not be entertained by Company.

c) 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 issued by Ministry of Micro, Small and Medium Enterprises. The existing enterprises registered under EM-Part-II or UAM till 30th June, 2020 shall continue to be valid only for a period up to the 31st day of March, 2021. The bidder claiming as MSE status (MSE-General, MSE-SC/ST, MSE -Woman) against this tender has to submit following documents for availing the benefits applicable to MSEs:

- i. Udyam Registration No. 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 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, 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.

d) For availing benefits under Public Procurement Policy (Purchase preference), the interested MSE Bidders must ensure that they are the manufacturers of tendered item(s) and registered with the appropriate authority (as mentioned above)

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for the said item(s). Bids without EMD shall be rejected, if the technical offer does not include a valid copy of relevant MSE Certificate issued by appropriate authority specifying the item as per tender. Therefore, it is in the interest of such MSE Vendors to furnish a copy of complete certificate to the concerned tender handling officer of OIL at least seven (7) days prior to the scheduled Bid Closing Date of the tender; seeking clarification/ confirmation as to whether their registered item is eligible for EMD exemption or not. Late communications in this regard and request for bid closing date extension on that plea shall not be entertained by Company.

e) Bid Security/EMD/Performance Bank Guarantee- Kindly refer Annexure-A attached.

13) Please note that all tender forms and supporting documents are to be submitted through OIL's e-Procurement site only except following documents which are to be submitted manually in sealed envelope super scribed with Tender no. and Due date to The Head Materials, Materials Department, Oil India Limited, Duliajan-786602, Assam on or before 13:00 Hrs (IST) on the Bid Closing Date mentioned in the Tender.

- a) Original Bid Security.
- b) Detailed Catalogue.
- c) Any other document required to be submitted in original as per tender requirement.

All documents submitted in physical form should be signed on all pages by the authorised signatory of the bidder and to be submitted in triplicate.

14) Bidders are requested to examine all instructions, forms, terms and specifications in the bid. Failure to furnish all information required as per the bid or submission of offers not substantially responsive to the bid in every respect will be at the bidder's risk and may result in the rejection of its offer without seeking any clarifications.

15) Bidder's response to all NIT stipulations shall clearly be defined. Bidder shall furnish specific details/ specifications of all major components, systems with Make & Model; etc. Generalised response like - 'As per NIT Specifications/ Technical Leaflet', 'Noted', 'and Accepted' or in any similar fashion is not acceptable.

16) PRICE BIDS OF ONLY THOSE BIDDERS WILL BE OPENED WHOSE OFFERS ARE FOUND TECHNO-COMMERCIALY ACCEPTABLE. THE TECHNO-COMMERCIALY ACCEPTABLE BIDDERS WILL BE INFORMED BEFORE THE OPENING OF THE "PRICE BID".

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17) The items covered by this tender shall be used by Oil India Limited in the PEL/ ML areas which are issued/ renewed after 01/04/99 and hence Indigenous bidder shall be eligible for concessional rate of GST against Essentiality Certificate wherever applicable, as per Notification No.3/2017 - Integrated/ Central Tax (Rate) dated 28th June, 2017 for orders having material value of INR 1.00 lakh and above. However, please quote the actual rate of GST along with the HSN Codes.

18) To ascertain the substantial responsiveness of the bid, OIL reserves the right to ask the bidder for clarification in respect of clauses covered under BRC also and such clarifications fulfilling the BRC clauses in Toto must be received on or before the deadline given by the company, failing which the offer will be summarily rejected.

19) In case a **Start-up** [defined as per Ministry of Commerce and Industry (Department of Industrial Policy and Promotion, DIPP) latest notification]/ MSE is interested in supplying the tendered item but does not meet the Pre-Qualifying Criteria (PQC)/ Proven Track Record (PTR) indicated in the tender document, the Start-up/ MSE is requested to write a detailed proposal separately, and not against the present tender requirement, to the tender issuing authority about its product. Such proposals shall be accompanied by relevant documents in support of MSE (where applicable) or in case of Start-up, following documents shall be given:

i. Certificate of Recognition issued by the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, Government of India.

ii. Certificate of incorporation.

iii. Audited Profit & Loss (P&L) Statement of all the Financial Years since incorporation. In case where the Balance sheet has not been prepared, bidder shall submit a certificate in original from its CEO/ CFO stating the turnover of the bidding entity separately for each Financial Years since incorporation along with a declaration stating the reason for not furnishing the audited P&L Statement. This certificate shall be endorsed by a Chartered Accountant/ Statutory Auditor.

The Proposal shall be examined by OIL and OIL may consider inviting a detailed offer from the Start-up/ MSE with the intent

to place a TRIAL or TEST Order, provided the Start-up/ MSE meet the Quality and Technical Specifications.

In case the Start-up/ MSE is successful in the Trial Order, the vendor shall be considered for PQC exemption/ relaxation (as the case may be) for the next tender for such item till the time it remains a Start-up/ MSE.

20) The Integrity Pact is applicable against this tender. OIL shall be entering into an Integrity Pact with the bidders as per format enclosed vide Annexure XII of the tender document. This Integrity Pact pro forma has been duly signed by OIL's competent signatory. The pro forma has to be uploaded by the bidder (along with the technical bid) duly signed by the same signatory who signed the bid, i.e., who is duly authorized to sign the bid. The names of the OIL's Independent External Monitors at present are as under:

i) Shri Sutanu Behuria, IAS (Retd.)
E-mail: sutanu2911@gmail.com

ii) Shri Rudhra Gangadharan, IAS (Retd.),
Ex-Secretary, Ministry of Agriculture
e-Mail ID : rudhra.gangadharan@gmail.com

iii) Shri Om Prakash Singh, IPS (Retd.),
Former DGP, Uttar Pradesh
E-mail: Ops2020@rediffmail.com

21) Ministry of Finance of Govt. of India, Department of Expenditure, Public procurement Division vide office memorandum F. No. 6/18/2019-PPD dated 23rd July, 2020 (order-Public Procurement no.1) has proclaimed the insertion of Rule 144 (xi) in the General Financial Rules (GFRs), 2017 w.e.f. 23rd July, 2020 regarding **restrictions on procurement from a bidder of a country which shares a land border with India on the grounds of defence of India on matters directly or indirectly related thereto including national security**. Bidders are requested to take note of the following clauses and submit their offers accordingly wherever applicable.

Bidders must submit duly sealed & signed undertaking as per Annexure-B provided along with the technical bid.

I. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.

Validity of Registration:

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In respect of tenders, registration should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance/placement of order, registration shall not be a relevant consideration during contract execution.

II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.

III. "Bidder from a county which shares a land border with India" for the purpose of this Order means:

- a. An entity incorporated, established or registered in such a country; or
- b. A subsidiary of an entity incorporated, established or registered in such a country; or
- c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
- d. An entity whose beneficial owner is situated in such a country; or
- e. An Indian (or other) agent of such an entity; or
- f. A natural person who is a citizen of such a country; or
- g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above.

IV. The beneficial owner for the purpose of (iii) above will be as under:

1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.

Explanation:

a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent of shares or capital or profits of the company;

b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;

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2. In case of a partnership firm, the beneficial owner is the natural person (s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership.

3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;

4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

5. In case of trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

V. An Agent is a person employed to do any act for another, or to represent another in dealings with third person.

VI. The successful bidder shall not be allowed to sub-contract any job related to the procurement (e.g. installation and commissioning, Annual Maintenance Contract etc.) to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.

22) **FURNISHING FRAUDULENT INFORMATION/ DOCUMENT:** If it is found that a Bidder has furnished fraudulent document/information, the Bid Security/ Performance Security shall be forfeited and the party will be debarred for a period of 3 (three) years from date of detection of such fraudulent act, besides the legal action. In case of major and serious fraud, period of debarment may be enhanced. In this regard, bidders are requested to submit an Undertaking as per Annexure-K along with their offer failing which their offer shall be liable for rejection.

23) **APPLICABILITY OF BANNING POLICY OF OIL INDIA LIMITED:** Banning Policy dated 6th January, 2017as uploaded in OIL's website will be applicable against the tender (and order in case of award) to deal with any agency (bidder/ contractor/ supplier/

vendor/ service provider) who commits deception, default, fraud or indulged in other misconduct of whatsoever nature in the tendering process and/or order execution processes. Applicability of the policy shall include but not limited to the following in addition to other actions like invoking bid security/performance security/cancellation of order etc. as deemed fit and as mentioned elsewhere in the tender:

- a) Backing out by bidder within bid validity
- b) Backing out by successful bidder after issue of LOA/ Order/ Contract
- c) Non/ Poor performance and order/ contract execution default

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

24) **CONFIRMATION OF BID SECURITY/ PERFORMANCE SECURITY:** The following clause is applicable for bid security/ performance security submitted in the form of bid bond/ LC. Bidders are requested to strictly comply to this clause:

The bank guarantee issued by the bank must be routed through SFMS platform as per following details:

- (i) "MT 760 / MT 760 COV for issuance of bank guarantee
- (ii) MT 767 / MT 767 COV for amendment of bank guarantee

The above message/ intimation shall be sent through SFMS by the BG issuing bank branch to HDFC Bank, Duliajan Branch, IFS Code-HDFC0002118; SWIFT Code-HDFCINBBCAL.

Branch Address: HDFC Bank Limited, Duliajan Branch, Utopia Complex, BOC Gate, Jayanagar, Duliajan, Dibrugarh, PIN-786602."

25) Revision, clarification, addendum, corrigendum, time extension etc. to the tender will be hosted on OIL website only. No separate notification shall be issued. Bidders are requested to visit OIL website regularly to keep them updated.

26) Oil India Limited (OIL) has upgraded its E-tender Portal. As part of the new system, the intending bidder must have Encryption Certificate along with Digital Signature Certificate (DSC) of Class III [Organization]. The date for implementation of new system is 12th April 2017 and the requirement of the new DSC will be applicable for the tenders floated on 12th April 2017 onwards. All our current and prospective esteemed bidders

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are therefore requested to acquire Class III DSC [Organization] along with Encryption Certificate issued by any of the Licensed Certifying Authorities (CA) operating under Controller of Certifying Authorities (CCA) of India as per Indian IT Act 2000. Guideline for getting Digital Signature and other related information are available on the e-tender website www.oilindia.com. The bid signed using any other digital certificate or digital certificate without organization name of the bidder, will be liable for rejection.

27) Encryption certificate is mandatorily required for submission of bid. In case bidder created response using one certificate (using encryption key) and bidder subsequently changes the digital signature certificate then the old certificate (used for encryption) is required in order to decrypt his encrypted response for getting the edit mode of his response. Once decryption is done, the bidder may use his new DSC certificate for uploading and submission of his offer. It is the sole responsibility of the bidder to keep their DSC certificate properly. In case of loss of DSC certificate, Oil India Limited is not responsible.

28) ONLINE VIEWING OF PRICE BY BIDDERS: For convenience of the qualified Bidders and to improve transparency, the rates/costs quoted by bidders against OIL's e-tenders shall be available for online viewing by such Bidders whose price bids are opened by Company. A Bidder can view item-wise rates/ costs of all other such peer bidders against the tender immediately after price bid opening, if the e-tender is floated by Company with PRICE CONDITION. In case the Price-Bid is invited by Company through attachment form under "Notes & Attachment" (i.e., NO PRICE Condition), Bidders must upload their detailed Price-Bid as per the prescribed format under "Notes & Attachment", in addition to filling up the "Total Bid Value" Tab considering the cost of all individual line items and other applicable charges like freight, tax, duties, levies etc. Under NO PRICE Condition (i.e. Price Bid in attachment form), the "Total Bid Value" as calculated & quoted by the Bidder shall only be shared amongst the eligible bidders and Company will not assume any responsibility whatsoever towards calculation errors/ omissions therein, if any. Notwithstanding to sharing the "Total Bid Value" or the same is whether filled up by the Bidder or not, Company will evaluate the cost details to ascertain the inter-se-ranking of bidders strictly as per the uploaded attachment and Bid Evaluation Criteria only. Online view of prices as above shall be available to the Bidders only upto seven days from the date of Price-Bid opening of the e-tender.

29) Bidders to take note of clause no. 21.1.3 of the General Terms & Conditions for E-procurement of Indigenous Tenders vide

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Booklet No. MM/LOCAL/E-01/2005 regarding transportation of materials.

30) Bid must be submitted electronically only through OIL's e-procurement portal. Bid submitted in any other form will be rejected.

31) Please refer to the "New Vendor Manual (effective 12.04.2017)" available in the login Page of the OIL's E-tender Portal.

32) Oil India Limited (OIL) has upgraded its E-tender Portal. All the bidders are requested to go through the following documents available on the login Page of the OIL's E-tender Portal before uploading their bid.

- a) Guidelines to Bidders for participating in OIL.
- b) New Vendor Manual.

33) Please refer Annexure-CCC for BEC/ BRC applicable against this tender. Please ensure compliance to BEC/ BRC and submit requisite documentation, failing which offer may be liable for rejection.

34) The prices of the items should be quoted as per Annexure-P and uploaded separately under the tab "Notes & Attachment".

35) The following points are deemed as "non-negotiable" and offer shall be rejected straight-away without seeking clarification in the case of the following:

- i) Validity of bid shorter than the validity indicated in the tender.
- ii) Original Bid Security not received within the stipulated date and time mentioned in the tender.
- iii) Bid Security with:-
 - (a) validity shorter than the validity indicated in the tender and/or
 - (b) bid security amount lesser than the amount indicated in the tender.

36) All the Bids must be Digitally Signed using "Class 3" digital certificate (e-commerce application) only 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" digital certificate, will be liable for rejection.

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