- **20)** The Owner may, at its discretion, on giving reasonable notice online / (intimation may be published in newspapers), extend the bid due date, in which case all rights and obligations of the Owner and the Bidders, previously subject to the bid due date, shall thereafter be subject to the new bid due date as extended.
- 21) Please note that queries related to scope of job, tender specifications, terms & conditions etc should be submitted on –line only (by logging in at http://etender.hpcl.co.in) by the query end date / time specified in the online tender. The reply of queries sent by bidders/ messages issued by HPCL pertaining to tender shall be available on tender message borad. HPCL, at its sole discretion, may not entertain the queries sent by post / fax/ email or through any other mode of communication.
- **22) BID CLARIFICATIONS/AMENDMENTS BY HPCL:** HPCL may issue clarifications / amendments in the form of online **addendum / corrigendum** and on **Message Board** at https://etender.hpcl.co.in during the bidding period and may also issue amendments subsequent to receiving the bids. Bidders shall consider the addendum/corrigendum/Messages on Message Board while quoting for the tender. Bidders shall examine the Bidding Document thoroughly and submit to HPCL any apparent conflict, discrepancy or error. HPCL shall issue appropriate clarifications or amendments, if required. Any failure by Bidder to comply with the

aforesaid shall not excuse the Bidder from performing the Services in accordance with the contract if subsequently awarded.

23) Deleted.

- 24) Bidders are advised to refrain from contacting by any means HPCL and/or their employees / representatives on their own, on matters related to Bids under consideration. HPCL, if necessary, will obtain clarification on the Bid by requesting for such information/clarifications from any or all Bidders, either in writing or through personnel contact. Bidders will not be permitted to change the substance of Bids after opening of Bids.
- 25) HPCL may solicit the bidder's consent to an extension of the period of validity of offer. The request and the response there to shall be made in writing. If the bidders agree to the extension request, the validity of Bank Guarantee towards Earnest money shall also be suitably extended. Bidders may refuse the request without forfeiting his EMD. However, bidders agreeing to the request for extension of validity of offer will neither be permitted to revise the price nor to modify the offer.
- 26) Bidders shall examine the Bidding Document thoroughly and submit to HPCL any apparent conflict, discrepancy or error. HPCL shall issue appropriate clarifications or amendments, if required. Any failure by Bidder to comply with the aforesaid shall not excuse the Bidder from performing the Services in accordance with the contract if subsequently awarded.

27) CONFIDENTIALITY OF DOCUMENTS

Bidder shall treat the Bidding Document and contents therein as private and confidential and shall not use the Bidding Document for any other purposes.

28) APPLICABLE LANGUAGE

The bid prepared by the bidder, all correspondences and documents related to this bid shall be written in English language only. For document submitted in any other language, an English

translation shall also be submitted, in which case, for the purpose of interpretation of the bid, the English translation shall govern.

29) CAUTION AND DISCLAIMER

Transfer of Bid document by the bidder is not permitted.

Bidder shall make his own interpretation of any and all information provided in the Bidding Document. HPCL shall not be responsible for the accuracy or completeness of such information and/or interpretation.

Although certain information's are provided in the Bidding Document, however, bidder shall be responsible for obtaining and verifying all necessary data and information as required by him.

30) EVALUATION OF UNPRICED BIDS

The bids shall be evaluated on the basis of the following criteria:

30.1 RECEIPT OF BID

Bids received late i.e. after due date and time, due to any reason (s) whatsoever shall be rejected.

30.2 DEVIATIONS TO TENDER REQUIREMENTS

The bidders are required to submit offers strictly as per the terms and conditions/specifications given in the Bidding Document and not to stipulate any deviations. The offer of bidders stipulating deviations are liable for rejection. In case Bidders wish to stipulate any deviation to Bidding Document requirements, they shall indicate (upload at eproc site) the same as per the format enclosed in the Bidding Document. **Bidder shall note that clarification/queries/deviations mentioned elsewhere in the offer shall not be given any cognizance.** However HPCL reserves their right to reject bids containing deviations to any of the Bidding Document stipulations.

31) UNSOLICITED POST BID MODIFICATION

Bidders are advised to quote strictly as per terms and conditions of the Bidding Document and not to stipulate any deviation / exceptions. Once, quoted the bidders shall not make any subsequent price changes, whether resulting or arising out of any technical / commercial clarifications sought/allowed on any deviations or exceptions mentioned in the bid unless discussed and agreed by HPCL in writing.

32) DETERMINATION OF RESPONSIVENESS

- i) Prior to the financial evaluation of bids, the HPCL will determine whether each bid is substantially responsive to the requirements of the Bidding Document.
- ii) For the purpose of this Clause, a substantially responsive bid is one which conforms to all the terms and conditions and specifications of the Bidding Document without material deviation or reservation. A material deviation or reservation is one which affects in any substantial way the scope, quality, or performance of the works or which limits in any substantial way, inconsistent with the Bidding Document, the HPCL's rights or Bidder's obligation under the Contract and retention of which deviation or reservation would affect unfairly the competitive position of other bidders presenting substantially responsive bids.

iii) If a bid is not substantially responsive to the requirements of the Bidding Document, it may be rejected by the HPCL. Such rejection may be intimated to the Bidder.

33) **EVALUATION OF PRICE BIDS**

- 33.1 The "PRICE BIDS" of only substantially responsive bidders and techno commercially accepted shall be considered for opening.
- 33.2 Bidders shall quote the prices in Indian Rupees only.
- 33.3 The quoted prices shall be checked to determine the arithmetical correctness of the same.
- 33.4 HPCL reserves their right to extend purchase/price preference to NSIC/Public Sector Enterprises as admissible under the existing policies of Government of India as on the date of opening unpriced bids.
- 33.5 HPCL reserves their right to negotiate the quoted prices with lowest bidder.
- 33.6 HPCL reserves the right to delete any of the items in the Schedule of Rates at the time of placement of Fax of Intent/Purchase Order. The decision of HPCL shall be final and binding.

34) REBATE

No suo-moto reduction in prices quoted by bidder shall be permitted after opening of the bid. If any bidder unilaterally reduces the prices quoted by him in his bid after opening of bids, the bid (s) of such bidder(s) are liable to be rejected. Such reduction shall not be considered for comparison of prices but shall be binding on the bidder in case he happens to be a successful bidder for award of work.

35)Wherever possible, payment shall be tendered to the contractor in electronic mode (e-payment) through any of the designated banks. The contractor will comply by furnishing full particulars of Bank account (mandate) to which the payments will be routed. Owner reserves the right to make payment in any alternate mode also.

IN CASE THE ORDER IS FINALISED ON YOU AND THE MANDATE FOR PROCESSING E-PAYMENT HAS NOT BEEN SUBMITTED BY YOU, THEN THE PAYMENT MAY NOT BE EFFECTED TILL THE SUBMISSION OF E-MANDATE BY YOU AND UPDATION OF NECESSARY AT OUR END. ANY CONSEQUENT DELAYS IN PAYMENT WILL BE TO YOUR ACCOUNT AND HPCL SHALL NOT BE RESPONSIBLE FOR THE SAME.

IN CASE THE E-MANDATE HAS BEEN SUBMITTED EARLIER THE SAME IS NOT REQUIRED TO BE RESUBMITTED,

36) PURCHASE ORDER (PO)

- 36.1 Purchase Order shall be prepared for award of works. Successful bidder shall be intimated regarding award of works through Fax/Letter of Intent. Until the final PO is prepared and executed, this Bidding Document together with the annexed documents, modification, deletions agreed upon by the HPCL and Bidder's acceptance thereof shall constitute a binding contract between the successful bidder and the HPCL based on terms contained in the aforesaid documents and the finally submitted and accepted prices.
- 36.2 The Purchase Order shall consist of the following:
- a) Original Bidding Document along with its enclosures issued.
- b) Addendum/Corrigendum/Messages in Message Board to Bidding Document issued, if any.

- c) Fax/ Letter of Intent, if any.
- d) The detailed Letter of Award/Acceptance along with Statement of Agreed Variations (if any) and enclosures attached therewith.

36.3 The statement of agreed variations shall be prepared based on the finally retained deviations, if any, by the Bidder and accepted by HPCL. All other correspondences between HPCL and the Bidder prior to issue of Fax/Letter of Intent shall be treated as Null & Void. Any deviations or stipulations made and accepted by HPCL after award of the job shall be treated as amendments to the contract document as above.

NOTE ON SERVICE TAX:

Bidders has to quote the Service Tax in % (Percentage) as applicable for their respective firms as per the latest Service Tax Rules, since different percentage of Service Tax applicable for different type of firms, companies, partnerships, individuals etc.

Vendor to indicate his liability of service Tax if any on the above job separately, as per amended Service Tax provisions w.e.f 1-7-2012.

Tax liability of HPCL as per reverse Charge mechanism wherever applicable will be loaded in the evaluation.

Vendor should also indicate his entity status: viz., Private Ltd Company/Public Ltd Company/Others.

In case if the entity is not liable to pay service tax as per service tax laws, the same shall be mentioned separately in the place provided.

Vendor should quote his applicable service tax rate if any separately and not as inclusive. In case if the vendor quotes the rate "Inclusive of Service Tax" it would be considered as if the vendor has included his liability alone in the rate. Accordingly HPCL's liability would be loaded for evaluation purposes.

LIQUIDATED DAMAGE

In case, Liquidated damage is deducted from the vendor, Service tax on liquidated damages @ GST quoted by the vendor/ applicable will be recovered and tax invoice will be issued to the contractor / service provider who in turn will be able to take Credit of the same.

Tips for successful bid submission in HPCL e-Procurement platform

THANK YOU, for your interest in bidding for HPCL tender in E-Procurement platform. It is designed to ensure security and confidentiality of bids till bid opening and provide transparency after bid opening. There have been few instances of vendors are not being able to submit their bids for various reasons. Based on our experience, we have compiled a list of all probable reasons due to which either vendors miss out on submitting their precious bid or end up submitting defective bids. Needless to mention, the most likely reason is attempting bid generation in the last hour.

Thus it is recommended to start the Bid Preparation process well in advance. We hope this set of handy tips will help you avoid the usual pitfalls at initial stage and submit a perfect bid smoothly in the platform

Tip 1:

Ensure to keep System ready in advance

For 1st time users, ensure the below points are taken care

- ✓ Class IIIB digital certificate issued on organization.
- ✓ Download Signing Utility for Signing and encryption.
- ✓ Install latest JAVA in local machine.
- ✓ Install Drivers for e-token

Tip 2:

- Internet Explorer browser 9 or above
- ✓ Remember to work with only **Internet explorer 9** or above browser.
- ✓ DO NOT access site in Google Chrome/Mozilla Firefox/ Edge or Safari, to avoid issues.

Tip 3:

- Start the process in advance. Submit bids in advance, Rates can be revised later
- ✓ Upload the Digital Certificate and get it validated by HPCL in advance.
- ✓ DO NOT wait for DC validation, for initiating BID preparation. Generate Technical bid and priced bid file in advance.

- ✓ Keep the supporting documents ready in PDF format only.
- ✓ Bids can be submitted once DC validation is completed.

Tip 4:

- **EMD** submission: EMD should reach to HPCL prior Tender due date.
- ✓ Submit EMD well in advance through online (Net Banking) or by way of Demand draft/ Bank Guarantee.
- ✓ While uploading EMD Exemption Certificate (for MSME vendors etc), browse only <u>signed</u> pdf of Exemption certificate.
- ✓ Use online EMD payment option, for faster EMD submission and EMD refunds.

Tip 5:

- Enter Taxes and Extras in proper format.
- ✓ Enter Taxes ONLY in Percentage terms and never in 'Per Unit" basis.
- ✓ Define various tax elements in proper sequence for correct calculation of delivered cost
- ✓ Only Extras like Freight, third party Inspection etc., may be entered in Per unit basis
- ✓ Check total Derived cost on screen and in Priced Bid Pdf, before bid submission

Tip 6:

- ❖ Simply generate the Technical bid pdf / Price bid pdf. Digitally sign & encrypt. Keep Signed file for records and "encrypted (final_signed)" file for submission.
- ✓ DO NOT browse signed PDF while filling responses.
- ✓ It is NOT required to take a print of the Tender Document.
- ✓ It is NOT required to physically sign on all pages of the tender file.
- ✓ It is NOT required to scan the signed tender document and upload the same.
- ✓ <u>DO NOT quote zero rate</u>, in case you do not want to quote for optional items

Tip 7:

- ❖ Save the work by working on Tab "Work without attaching doc". Esp., in tenders having more than 50 items
- ✓ Option for saving work is available only in "Work without attaching doc" tab.
- ✓ Enter all the necessary technical responses in the form provided and click on "Save work on local machine" button for saving the "XML" file.

- ✓ Browse the latest "XML" file only while working on "Update Values from local computer" option.
- ✓ Note: During this process any data entered does not get captured in the server.
- ✓ <u>PB (Price Bid) Excel template</u> shall be used for faster uploading of rates in the tender. Only latest file to be uploaded.

Tip 8:

Always keep "Latest bid" for records.

- ✓ Technical bid pdf and Priced bid pdf can be generated any number of times. Bid may be submitted any number of times.
- ✓ Always remember System will allow Bid submission only for the latest generated document.
- ✓ If bid submitted for more than one time, only latest bid will be considered for evaluation purpose by the system.

Tip 9:

* "REGRET" option for Bid withdrawal.

- ✓ Option for Bid withdrawal is available till tender due date even when the bid is already submitted/ is in preparation stage.
- ✓ Though "Regret" is submitted, "SUBMIT BID" option is available till tender due date.
- ✓ Latest bid submission/ Regret will be considered by system for tender
- ✓ "Regret" will be considered as response submitted against the tender.

Tip 10:

Size of the bid must be as less as possible

- ✓ Keeping bid size small will help in faster Bid submission.
- ✓ The current session out time is 20 minutes. Must Save work before 20 minutes.
- ✓ To keep the size of the bid document small,
 - Scan the documents in low resolution, preferably 150-200 dpi wherein the data should be legible.
 - Scan in grayscale and not in color to reduce file size.
 - For large drawings, scan files in jpeg format and later covert same to pdf format.

Tip 11:

Raise online "Query" for any technical clarification regarding Tender.

- ✓ Every tender has query start date and query end date (specified in the first page of the tender document). Query can be raised within this range only.
- ✓ So starting bid preparation in advance will facilitate to raise query and get reply within time.

Tip 12:

Sign document in advance for Reverse auction event.

- ✓ To participate in Reverse Auction event, work only on RA link, as below https://etender.hpcl.co.in/eProcRA/VendorLoginInput.action
- ✓ Follow the steps given on RA page for RA Participation.
- ✓ Download RA document and sign only with HPCL's "Signing Utility".
- ✓ Do not change DC after RA is published. In case of DC expiry or token lost, ensure to upload new DC and get it validated before RA Start date.

Tip 13:

HPCL E-Procurement Helpline No: 022 41146666/ 61548595

- ✓ For any technical queries related to operation of the portal, send mail to eprochelpdesk@mail.hpcl.co.in OR call at **022-41146666/61548595**.
- ✓ The helpdesk support is available 6 days a week from 8 AM to 8 PM (except public holidays).
- ✓ Must seek help at least two to three days (min) in advance, to avoid last minute disappointment.
- ✓ NOTE: Put dummy rates while taking support from Helpdesk for understanding Bid generation process

<u>Supplementary Section on Bid Bubmission</u>

The two broad classification of tenders for generating bid document, be it "Prequalification bid" or "Technical/ Price bid are as follows:

1. Low value tender having 20-50 items and limited uploads/questions

For Low value tender, "No of items" where rate is to be entered is very limited and there are less no. of questions, vendors can directly work on Prepare tender >> Generate Technical and Priced bid >> Attach document and generate envelope.

Bid generation and submission

Go to Generate Technical and Price bid >> Attach Document and Generate envelope.

- a. Fill responses, upload documents (pdf only), give Prices and Taxes etc and click on "Generate technical bid", followed by "Generate Priced bid".
- b. Save Technical Bid Envelope and Price bid envelope in local machine.
- c. Check the bid documents for correctness. If found OK, digitally signed and encrypted the file using the "Signing cum encryption" utility.
- d. No provision will be available for saving the work in this option. So for Bid resubmission/any other modification, responses/forms/rates etc have to be entered for all items again.

e. Keep "signed" file for records and "encrypted" file for submission

While this method is very fast for generation of bids, it requires full efforts in redoing same if need arises.

2. Moderate to high value tender having more than 50 items and other uploads

The session out time for application is 20 minutes, which means if "generate bid" button is not clicked within 20 minutes of landing in the page the work done will be lost. Thus for moderate to high value tenders (having more than 50 items), Pl use PB Excel template for uploading rates and "Save work" option for preparing Technical bid

The method for "Saving work" is as below:

- a. Click on Prepare tender >> Generate Technical and Priced bid >> "Work without attaching document". Here enter the rates/ responses etc, except for uploading the documents. Once adequate entries are made click on the tab "Save work on local computer", show the path and save the file in local machine.
- b. Now click on "Update Values from Local Computer" and show path of the saved file. The rates and responses will get populated till the previous work done.
- c. The saved values can be edited and Rates/response can be filled up for balance items/sections. Again save the work. **Work can be saved as many times as required**.
- d. Use PB Excel template for uploading/modifying rates etc
- e. While updating values from local computer, always browse only latest generated saved work file.

Bid generation and Submission

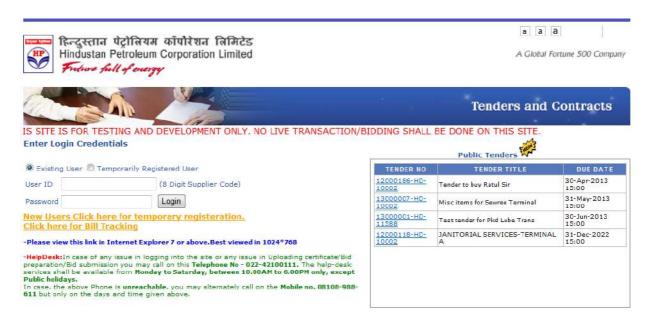
- a. Once all the rates/responses are finalized, click on the tab "Generate Technical and Priced bid envelope >> Attach doc and generate envelope.
- b. Click on the tab at the bottom of screen "Update value from local computer". Remember to upload only the latest generated files.
- c. On uploading "save work" file, all the item rates/ responses will be populated against appropriate section. Also in the same page, browse the documents (pdf only) to be uploaded if any.
- d. After checking entered rates/ response sheet and uploaded supporting documents, click on "Generate technical bid envelope" followed by "Generate Priced bid envelope".
- e. Save the PDF files of technical and price bid envelope.
- f. Check the pdf document for correctness. If found OK, digitally signed and encrypted the file using the "Signing cum encryption" utility.

Keep "signed" file for records and "encrypted" file for submission.

Vendor Bidding module

In case a limited tender is published, email intimation goes out to all vendors attached to the tender. The email also intimates the <u>login Id(eg Vendor No)</u> with which you are <u>supposed to log into the system</u>. In case of Public tender, you may access site with the registered JDE vendor No or through temporary registration credentials. The password shall be the "Bill tracking system" password which you may already have or you may call up on helpdesk(022-4210011)/Purchase officer to obtain the same.(The password is delivered through a system generated mail directly to your email inbox).

Please type the URL https://etender.hpcl.co.in in the (Internet Explorer 7 or above) address bar and click "Enter". Please note that application will not function properly in other browsers such as Chrome/Firefox/Safari etc.



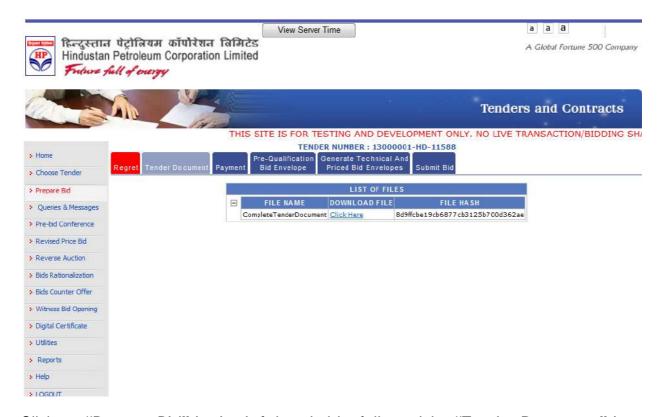
On the above screen enter your 8 digit Vendor code and password as issued for "Bill Tracking system". Alternately, click on "Temporary registered user", enter your email Id and corresponding password as registered by you.

You can now see the Home screen with instruction and salient features of bidding module.

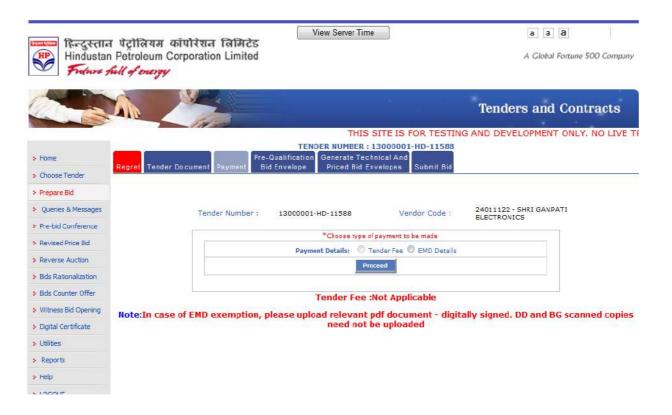


Click on "Choose Tender" in the left hand pane. All tenders lying in the inbox will be visible. You may either click on "Bid" or "Regret" as the case may be. Please note that in case you click on "regret", you will not be allowed to prepare bid or submit bid. However the "Bid" button will stay active and on clicking same you will be allowed to prepare and submit bid

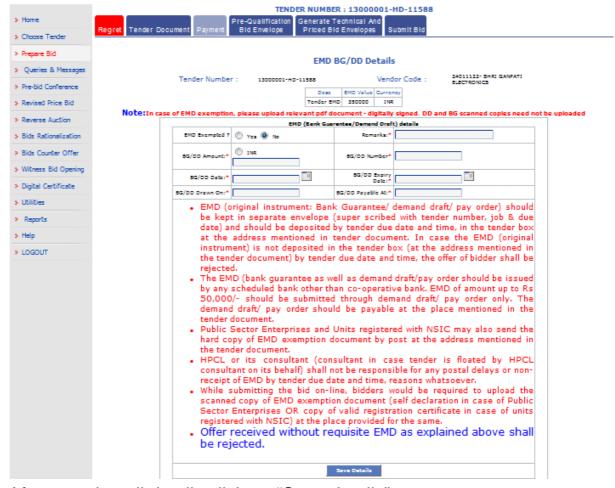
Click on the radio button to select one of the tenders for working and then click on "Select Tender". At any point of time, only one tender can be worked upon. Then click on "Prepare bid".



Click on "Prepare Bid" in the left hand side, followed by "Tender Document" in the upper tab. This will provide the complete tender document in PDF format with the option to download the tender in PDF.



Next click on the upper tab "Payment". Select the appropriate radio button and click on "Proceed to pay" for providing payment related information in the next screen.



After entering all details click on "Save details".



Next click on the upper tab "Pre-Qualification bid envelope" in case it is a Public tender. Thereafter enter the responses as required.

Finally click on generate "pre-qualification bid envelope".

In case it is a two bid tender then click on "Generate Technical and priced bid envelope". You will get two options:

 Work without attaching document (Here you shall be able to enter the responses and rates/taxes etc with an option to <u>save work</u> so that bid can be prepared in stages)

10:11 23:04-20

Attach document and generate envelope(Here you will <u>not get the option</u> to save work, but you will be allowed to enter the responses, rates/taxes, upload documents and generate the bid directly)

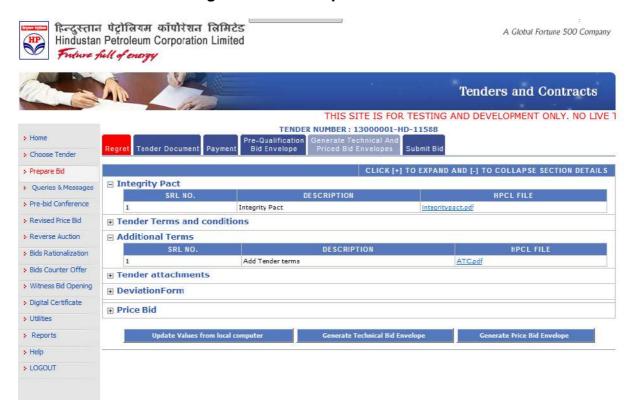
Please select the appropriate option and enter all responses as required. As a thumb rule, if the tender has only **few items** and few questions to respond, you can directly go to the tab "<u>Attach document and generate envelope</u>" enter values and generate the bid for submission.

However if the tender has many items and a large questionnaire then it is better to work on the tab "Work without attaching document", so that you can save part work and come back to continue from where you left. In this option you have first "Save work on local computer" and then click on the tab "Attach document and generate envelope"

You will see the screen below, when you click on "Work without attaching document".



Now that you have entered the responses, rates, taxes etc after expanding all the sections you may click on the tab "Save work on local computer". Thereafter click on "Attach document and generate envelope".

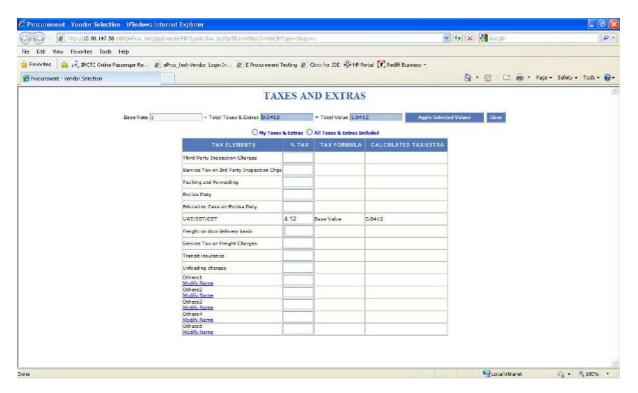


If you have "saved work on local computer" then click on "update values from local computer", show the path of saved file and click on submit.

Alternately you may expand all the sections by clicking on the sign \bigoplus . Enter the responses, upload the documents, and enter deviation if any followed by rates and taxes as required.

Enter the rates for the various items in the tender. Select the level where the taxes have to be applied ie, "Header level taxes" or "schedule level taxes" or

line level taxes". Click on the appropriate label and enter the taxes as shown below:



Select the appropriate tax elements and enter the applicable percentage. Click on tab after entering the percentage value and again tab after selecting the level (eg "Base value" or VAT or Service Tax etc). At the end click on "Apply Selected taxes". In case there are no taxes on the item please click on the radio button "All taxes included" and click on "Apply selected taxes" in the dialogue box for taxes. Please note that the bid cannot be generated without populating the "Derived value".

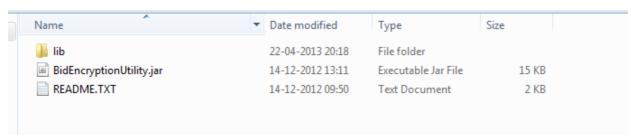
Now click on "Generate Technical bid envelope" followed by "Generate Priced bid envelope". Save these files in the same folder. <u>PLEASE REMEMBER TO GENERATE BOTH THE PDF DOCUMENTS.</u>

Now digitally sign all three bids or the two bids(<u>Technical bid envelope.pdf</u> and <u>Priced Bid envelope.pdf</u>) with the provided utility "Jsign PDF". <u>PLEASE REFER TO THE PDF SIGNING MANUAL TO UNDERSTAND THE DIGITAL SIGNING PROCESS FOR PDF DOCUMENTS</u>.

After the documents have been signed, please encrypt the bids with the provided encryption utility. In case you are doing this for the first time click on "Utilities" on the left pane of screen.



Now click on link "Encryption utility" to download the same. Go to the saved location and right click with mouse on the file. Now click on Unzip or "Extract all" and extract the contents in a location. Now click on "Bid encryption utility.jar".



You will see the screen below:



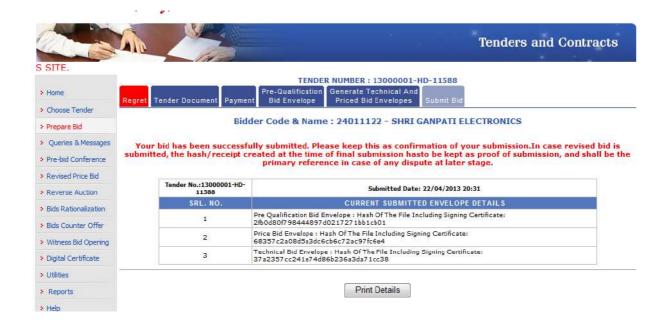
Simply show the path for all bids eg "Technical Bid envelope_signed" and "Priced bid envelope_signed" etc and click on "Encrypt uploaded document". You will find that encrypted documents have been created in the same location.

Alternately, you may use another utility "Signing & encryption utility" which shall sign and encrypt" the bid document simultaneously.

Please upload the encrypted bid documents in the next tab "Submit Bids".



<u>Please ensure that your digital certificate(Public Key) is uploaded and VALIDATED in the server, prior to your clicking on the "Submit to HPCL".</u> After successful submission of bid "File hash" will be generated by the system which must be saved by you for future reference. The same shall also constitute as the proof of bid submission.



In case of any issue during bid preparation or bid submission, please feel free to call up helpdesk at 022-42100111, between 10 AM to 6.00PM on all six weekdays.

Happy and successful bidding!!