

Tender No: RCC/ERO/37/2022-23/LT-12 e-Tender Id: 2022_ERO_149881_1

Title: Engineering, Procurement, Construction (EPC) inclusive of 1 year comprehensive Operation & Maintenance (O & M) of about 315 KWp on-grid roof / vertical wall / solar tree mounted captive solar power project at Indian Oil's new green office building of Bihar State Office at plot no. A-6, Patliputra Industrial Estate, Patna, Bihar with further comprehensive O & M for 2 (two) years.



NOTICE INVITING TENDER (NIT)

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NOTICE INVITING TENDER

SUB: Tender No: RCC/ERO/37/2022-23/LT-12

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1. **Indian Oil Corporation Ltd (IOCL) is India's flagship national oil company with business interests straddling the entire hydrocarbon value chain – from refining, pipeline transportation and marketing of petroleum products to exploration & production of crude oil & gas, marketing of natural gas and petrochemicals. It is the leading Indian corporate in the Fortune 'Global 500' listing, ranked at the 137th position in the year 2018.**
2. **Presently, IOCL proposes to set up Captive Solar Power Project on Lump-sum Turn-key (LSTK) basis through qualified selected bidder.**
3. **IOCL intends to select and appoint one of the empanelled Vendors/LSTK Contractors through competitive bidding in two-bid system (i.e. PART-I : Techno-Commercial Bid and PART-II : Price Bid) for the brief Scope of Work mentioned hereinafter.**
4. **Brief Scope of work**
 - 4.1. **Part-A:** Engineering, Procurement, Construction (EPC) inclusive of 1 year comprehensive Operation & Maintenance (O & M) of about 315 KWp on-grid roof / vertical wall / solar tree mounted captive solar power project at Indian Oil's new green office building of Bihar State Office at plot no. A-6, Patliputra Industrial Estate, Patna, Bihar.
 - 4.2. **Part-B:** Operation & Maintenance of Solar Plant for a further period of 2 years from the date of completion of work mentioned in Part-A.

The detailed scope of work to be carried out under this contract is defined in Chapter-5 (Job specifications).

5. **Indian Oil has initiated e-tendering for procurement of works and services through its website <https://iocletenders.nic.in>. Bidder is requested to obtain Class-3 Digital Signature Certificate (DSC) from any authorized certifying agency and register itself with IOCL on this website using the DSC. Detailed instructions are available on the website.**



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6. BRIEF DETAILS OF THE TENDER:

6.1.	NAME OF WORK	Engineering, Procurement, Construction (EPC) inclusive of 1 year comprehensive Operation & Maintenance (O & M) of about 315 KWp on-grid roof / vertical wall / solar tree mounted captive solar power project at Indian Oil's new green office building of Bihar State Office at plot no. A-6, Patliputra Industrial Estate, Patna, Bihar with further comprehensive O & M for 2 (two) years.
6.2.	TENDER /NIT NO: (e-TENDER ID)	RCC/ERO/37/2022-23/LT-12 2022_ERO_149881_1
6.3.	TIME OF COMPLETION Part-A	16 months (4 months for project commissioning + 12 months of inclusive O&M) from date of Site Handing Over (SHO).
6.4.	TIME OF COMPLETION Part-B	24months from date of completion of Part-A.
6.5.	DOWNLOAD OF TENDER DOCUMENT	As per e-tender portal
6.6.	CONTACT PERSON (For Site Related Query)	Name: Navneet Kumar Designation : Sr. Engg Officer BSO Bldg Prj Contact No. : 6203520556 Email-ID : kumarn24@indianoil.in
6.7.	CONTACT PERSON (For Any Other Query)	Name: Vikas Bharti Designation : Sr. Contracts Officer, RCC, ERO Contact No. : 8542021802 Email-ID : bhartiv@indianoil.in
6.8.	PRE BID MEETING	Not Applicable.
6.9.	OPENING DATE AND TIME OF E-BID SUBMISSION	As per e-tender portal
6.10.	CLOSING DATE AND TIME OF E-BID SUBMISSION	As per e-tender portal
6.11.	DATE AND TIME OF TECHNO COMMERCIAL BID OPENING	As per e-tender portal
6.12.	EARNEST MONEY	a) The requirement of EMD is waived against



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	DEPOSIT	<p>requirement of submission of Bid Security Declaration from bidders in lieu of EMD (Enclosed as Annexure-7).</p> <p>b) The requirements of submission of Bid Security Declaration shall also be applicable on the bidders who are exempted from payment of the EMDs (MSEs as per PPP, Start ups, CPSE & JVs).</p> <p>If the “BID SECURITY DECLARATION in lieu of EMD” is not uploaded by bidder, his bid is “liable to be rejected”.</p>
6.13.	BID VALIDITY	<p>120 days from date of opening of Technical Bids. In case of requirement, IOCL may seek further extension of the validity of offer from the Bidders.</p>
6.14.	NO. OF CONTRACTORS REQUIRED	01 (ONE)
6.15.	Mode of Tender Submission	You may please note that this is an e-Tender and can only be downloaded and submitted in the manner specified in ‘Special Instructions to bidders for participating in e-tender’ attached separately in this tender

Evaluation Criteria:

1. Only the Technical Bid, of those parties uploading their tenders before due date and time of submission, shall be considered for opening.
 2. The techno- commercial bid shall be scrutinized and evaluated based on the basis of the uploaded documents in e-tender portal. To assist in the scrutiny, evaluation and comparison of bids, IOCL may, at their discretion, request clarifications on the bid from the bidder including submission of additional documents.
 3. The Price Bid of only those parties shall be opened who have submitted all the documents required to be submitted along with Bid as mentioned in NIT. Prior intimation will be sent to the qualifying parties regarding due date and time of opening of Price Bid.
 4. The lowest quote (combined amount for Part-A, and Part-B) after opening of Price Bids shall be considered for further processing.
 5. Party who has quoted/ matched the L1 Rate (i.e. the lowest rate after taking into consideration the “Purchase Preference” as applicable as mentioned in the Tender Document) on landed cost basis will be considered for award of work with or without negotiation and after considering the tax credit implication wherever applicable as per the policy of the Corporation.
- In case of tie between two or more bidders at L-1 position of same category(PPLC/ non PPLC), all the L-1 bidders shall be asked to submit the discount bid in terms



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of percentage discount over previous quoted amount and Annual Turnover Documents of the preceding Financial years (2019-20, 2020-21 and 2021-22) in a sealed envelope (activity outside the e-portal). In case there is a tie again, the bidder with highest turnover in any of the last 3 years as submitted against turnover criteria shall be considered as L-1 bidder.

In case of non-availability of Audited Balance Sheet (Profit and loss account statement)/Published accounts of the immediate preceding year, the Audited Balance Sheet (P&L Statement)/Published account of 4th preceding year (FY 2018-19) shall also be acceptable.

Turnover for this purpose should be as per audited Balance Sheet including P&L Statement/Published Account/Profit & Loss Account Statement of the tenderer. However, if the tenderer is not required to get its accounts audited under Section 44AB of The Income Tax Act, 1961, certificate from a Practicing Chartered Accountant towards the turnover of the tenderer along with copies of its Income Tax Return should be submitted.

Total Revenue as per Schedule III of Companies act, 2013 (Earlier revised Schedule VI of Companies Act, 1956) shall be considered as Turnover.

Audited Balance Sheet (P&L Statement)/ Published accounts on a calendar year basis shall also be acceptable.

In the event of bidder submitting turnover documents for only one or two years, L-1 shall be submitted on the basis of turnovers submitted.

6. In case the bidder has been asked to submit price bid/price implication in physical form, the use of white/erasing fluid for correcting the rates is banned. Wherever the rates are corrected with white/erasing fluid, the bids will be summarily rejected.
7. Negotiations shall not be conducted with the bidders as a matter of routine. However, Corporation reserves the right to conduct negotiations. Tenderers will have to attend the Office of INDIAN OIL CORPORATION LIMITED as informed by Tender Issuing Authority for negotiations/clarifications at their own cost as required in respect of their quotation without any commitment from INDIAN OIL CORPORATION LIMITED.
8. In case a bidder is put on holiday / Black listed after opening of price bid, then bid of such bidders will be ignored & will not be further evaluated. The bidder will not be considered for issue of order even if the party is the lowest (L1) and BG/EMD made by the party shall be returned. In such situation next lowest shall be considered as L1.
9. IOCL shall not be bound to accept lowest or any tender and reserve the right to accept one or more tenders in part or full. The decision of IOCL in this regard shall be the final.



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10. In case of tie between two or more Class L-1 Local Supplier Bidders at other than L-1 position, the bidder with the highest turnover in any of the last three years shall be given priority in ranking.

11. Purchase Preference (Linked with Local Content) (PP-LC) Clause

The classification, Margin of Purchase preference, broad allocation and tender categorization shall be as follows:

SN	Description	Details
1.	Supplier Classification:	
a.	Class-I Local supplier	LC >= 50%
b.	Class-II Local supplier	LC >=20% < 50%
c.	Non-Local supplier	LC < 20%
2.	Margin of Purchase preference (PP-LC)	20% (i.e. L1+20%)
Note: Purchase Preference shall be admissible only for Class-I Local supplier.		
3.	Tender Category:	Class-I & II Local suppliers are eligible to bid in the tender.

All Bidders participating in the tender shall submit LC declaration against qualifying as Class I, Class II or Non-Local supplier. For this purpose, the details shall be submitted as per Undertaking for Purchase Preference Linked with Local Content (PP-LC)-Bid Stage.

For the purpose of extending Purchase Preference benefits, the latest quote of respective bidder(s) during the tender process shall be considered.

The modality for evaluating purchase preference benefits under PP-LC policy shall be as per the following:

Scenario- I	PP-LC bidder is not L1.	L1 bidder is non-PP-LC bidder L2 bidder is PP-LC (within +20% of L1)
1.	For Non-Divisible items	PP-LC bidder(s) shall be given preference to match the L1 price in the order of their ranking. Order shall be placed on the PP-LC bidder matching the L1 price. If no PP-LC Bidder matches L-1 price, award to L-1 bidder.



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Scenario- II	PP-LC bidder is L1.	L1 bidder is PP-LC. L2 bidder is non-PP-LC bidder
1.	For Non-Divisible items	100% Award to PP-LC Bidder

Notes:

- i) PP-LC bidder mentioned above means Class-I Local supplier as defined in the policy.
- ii) In case of EPC (works) procurements, modality of purchase preference is not applicable for MSE's.
- iii) Only preferential bidders (PP-LC (Class I) quoting within the applicable purchase preference margins and agreeing to match L-1 price shall be considered.
- iv) Wherever preference to MSEs is not applicable i.e. in case of works, MSE bidder shall be treated as a Non preferential bidder.

Sanctions:

IOCL shall impose sanction on manufacturers / Service providers not fulfilling LC of Goods / Services in accordance with value mentioned in the certificate of LC.

- a) The sanctions may be in the form of written warning, financial penalty and blacklisting.
- b) In the event that a manufacturer or supplier of goods and/or provider of services does not fulfill his obligation after the expiration of the period specified in such warning, IOCL can initiate action for blacklisting such manufacturer/supplier/service provider.
- c) A manufacturer and/or supplier of Goods and/or provider of services who has been awarded the contract after availing the Purchase Preference is found to have violated the LC provision, in the execution of the procurement contract of goods and/or services shall be subject to financial penalty. The financial penalty shall be over and above the PBG value prescribed in the contract and shall not be more than an amount equal to 10% of the contract price.

Calculation of Local Content to be submitted after award & during execution:

- 1.0 Each supplier shall provide the necessary local content documentation to the statutory auditor/ cost auditor / practicing CA as applicable which shall review and determine that local content requirements have been met, and issue a local content certificate to that effect on behalf of the bidder, stating the percentage of local content in the good or service measured. The auditor shall keep all necessary information obtained from suppliers for measurement of local Content confidential.
- 2.0 The local content certificate shall be submitted along with each invoice raised. The % of local content may vary with each invoice while maintaining the overall % of local content for the total work / purchase of the pro rata local content requirement. In case it is not satisfied cumulatively in the invoices raised up to that stage, the supplier shall indicate how the local content requirement would be met in the subsequent stages.
- 3.0 Where currency quoted by the bidder is other than Indian Rupee, exchange rate prevailing on the date of notice inviting tender (NIT) shall be considered for the calculation of Local Content.

Modality for receiving price implication from bidders for breaking of tie:



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- i) Mode of information to bidders shall preferably be through Mail with copy through courier/registered post.
- ii) Receipt both by hand and through post shall be acceptable. If received in advance, the same may be put in tender box.
- iii) Normally at least 7 days shall be given for submission & opening of revised price-bid / price implication. However, IOCL reserves the right to alter this period.
- iv) In absence of response (non-receipt of revised bid/implication), the bid may be treated as one with nil additional discount.

OTHER POINTS:

1. The Tender bid is liable for rejection if Bid Security Declaration in lieu of EMD is not uploaded on e-Tendering portal as mentioned in NIT.
2. The bid of the party will also be rejected on the following grounds:
 - i. Non-withdrawal of conditions imposed in tender document & conditions imposed during negotiations.
 - ii. A bidder who offers unsolicited reduction in the price offer whether before or after the opening of the price part of the tender(s)/bid(s) shall be liable to have his/its/their bid(s) rejected. Bidders may, however, at any stage offer a reduction if such reduction is solicited or if the OWNER gives the Bidder an opportunity to offer such reduction.
 - iii. Tenderer submitting fabricated/ false/ forged documents for the tender.
 - iv. Tenderer put on holiday list during the pendency of this tender.

Invalid Tenders:

A Tender is invalid and may be rejected in the following circumstances:

- a) Does not submit Bid Security Declaration in Lieu of EMD as specified in the tender.
- b) Submits the tender after due date and time
- c) Is holiday listed or blacklisted
- d) Use of White / erasing fluid in Rates for physical bids
- e) Does not submit complete price bid in line with bid requirements

Tender is also liable for rejection, if the tenderer:

- a) Stipulates the validity period less than what is stated in the Tender Form. However, if the Party agrees to extend the validity as required, the tender can be accepted.
- b) Stipulates his own conditions.
- c) if the tenders are partly quoted

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- d) if the tenders contain unacceptable terms and conditions
- e) if the tender is not according to our format
- f) In case of suo Moto reduction in the prices offered by the tenderer.
- g) Revised price bid during validity period without being asked for.

7.0 BRIEF TERMS AND CONDITIONS

- a) The subject tender is an e-tender & can be downloaded from IOCL website, <https://iocletenders.nic.in> Tender Document will not be issued in person or sent by post. Bidder is mandated to get enrolled on e-Tendering portal (<https://iocletenders.nic.in>). Bidders shall not have to pay cost of bidding document.
- b) Bidder is advised to read the instructions for e-tendering from the website <https://iocletenders.nic.in>. The Help Documentation placed at Home Page provides necessary guidance to bidder for using the e-Tendering site. A user id will be issued to bidder by e-Procurement administrator for participation in e-tendering.
- c) The Tenderer shall furnish all necessary documents for the bidding entity along with their offer.
- d) Any bidder who has downloaded the tender document from IOCL website shall not construe the same as his qualification for the tendered work.
- e) Bidder shall download the Bidding Document in his own name and submit the bid directly. The Bidding Document is non-transferable.
- f) IOCL shall not be responsible for any expense incurred by bidders in connection with the preparation & delivery of their bids, site visit and other expenses incurred during bidding process
- g) IOCL reserves the right to assess bidder's capability and capacity to execute the work using in-house information and by taking into account other aspects such as concurrent commitments and past performance.
- h) Bidder submitting his bid should not be under liquidation, court receivership or similar proceedings.
- i) Fax/ E-mail / Hard Copy of bids shall not be accepted.
- j) IOCL reserves the right to reject any or all bids or cancel/withdraw the Invitation for Bids without assigning any reason whatsoever and in such case no bidder / intending bidder shall have any claim arising out of such action.
- k) At any time prior to the deadline for submission of bids, IOCL may for any reason, whether at its own initiative or in response to a clarification requested by a bidder, modify the NIT by amendment.

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- l) The amendment will be notified through e-Tender portal to all bidders who have downloaded the Tender Document and will be binding on them.
- m) In order to extend reasonable time to bidders for considering amendments while preparing their bids, IOCL may, at its discretion, extend the deadline for the submission of bids.
- n) In exceptional circumstances, IOCL may solicit the bidder's consent to an extension of the period of validity of bid. The request and the response there to shall be made by Fax / e-mail/ e-Tender portal. The bidder, extending the validity of the bid, will not be permitted to modify the bid.
- o) After opening of bids, to assist in the examination, evaluation and comparison of bids, IOCL may, at its discretion, ask the bidder for a clarification on its bid. The request for such clarification and the response shall be in writing through e-Tender portal only.
- p) IOCL reserves the right of annulment of tender without assigning any reasons whatsoever.
- q) Consultants or their subsidiary company or companies under the management of consultant, are not eligible to quote for the execution of the same job for which they are working as consultant.
- r) Contractor shall raise all the bills in the name of IOCL, specific to location or State/Head Office as mentioned in the Letter of Award (LoA) and/or Contract Agreement.
- s) Legal dispute, if any, arising during the evaluation of the tender shall be within the jurisdiction of local courts.
 - o For disputes up to stage of LOA-Jurisdiction shall be at Kolkata.
 - o For disputes during execution- Jurisdiction shall be at PATNA.

**Indian Oil Corporation Limited,
Chief General Manager
Regional Contract Cell,
Eastern Regional Office,
2, Gariahat Road(South)
Dhakuria, Kolkata-6**