

**INDIAN OIL CORPORATION LTD.  
(Patna Bottling Plant, Gidha, Bhojpur, Bihar)**

**TENDER DOCUMENT  
FOR**

**Engineering, Procurement, Construction (EPC) of 800 KWp On-Grid Ground (700KW) and Roof Mounted (100KW) Captive Solar Power Project at Indian Oil Patna Bottling Plant, Dist.-Bhojpur, (Bihar) with its CAMC for 5 Years post completion of warranty period.**

**(TENDER NO: RCC/ERO/37/2023-24/PT-136)**

- ❖ There are 03 Parts of the Tender Document: Part A, Part B and Price Bid.
- ❖ In case of any deviation/ variance/ conflict between Part A and Part B, the Clause mentioned in Part A shall prevail.
- ❖ Part B contains certain superfluous/ additional Clauses with respect to Part A which are not relevant to the subject Tender and hence they may be ignored.

**PART 'A': TECHNICAL COMMERCIAL BID**

**TENDER NO: RCC/ERO/37/2023-24/PT-136**

**&**

**E-Tender ID: 2024\_ERO\_174375\_1**

# **NOTICE INVITING TENDER (NIT)**

## **NOTICE INVITING TENDER**

(e-tendering)

SUB : Engineering, Procurement, Construction (EPC) of 800 KWp On-Grid Ground (700KWp) and Roof (100KWp) Mounted Captive Solar Power Project at IndianOil Patna Bottling Plant, Gidha, Dist.-Bhojpur, Bihar with its further CAMC for 5 Years, after warranty period.

Tender No.: **RCC/ERO/37/2023-24/PT-136**

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 94<sup>th</sup> position in the year 2023.
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 vendor 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 and Construction (EPC) of 800 KWp On-Grid Captive Solar PV (SPV) Plant on turnkey basis on the premises of IndianOil's Bottling Plant at Gidha, Dist.-Bhojpur-802314, Bihar inclusive warranty period of one year from the date of successful project commissioning.
- 4.2. Part-B: PWCAMC of Solar Plant for a further period of 5 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.

#### **6. BRIEF DETAILS OF THE TENDER:**

6.1.	NAME OF WORK	Engineering, Procurement, Construction (EPC) of 800 KWp On-Grid Ground (700KWp) /Roof (100KWp) Mounted Captive Solar Power Project at IndianOil Patna Bottling Plant, Gidha, Dist.-Bhojpur, (Bihar) with its further CAMC for 5 Years, post warranty period.
6.2.	TENDER /NIT NO.	<b>RCC/ERO/37/2023-24/PT-136</b>
6.3.	e-TENDER ID	<b>2024_ERO_174375_1</b>
6.4.	LOCATION OF SUPPLY	Indian Oil Corporation Limited, LPG Bottling Plant, Patna, Gidha-802314
6.5.	NO. OF CONTRACTORS REQUIRED	01 (One)
6.6.	ESTIMATED VALUE OF WORK	<p><b>PART A (1a) :</b> Supply of Solar Plant equipments for 800KWp including Spares</p> <p>Estimate- Rs. 2,66,77,500/- Excl GST.</p> <p style="text-align: center;"><b>Rs. 2,98,78,800.00 incl GST @ 12.00%.</b></p> <p><b>PART A (1b) :</b>Design, Engineering, Installation commissioning and testing</p> <p>Estimate- Rs. 1,05,85,632.00/- excl GST.</p> <p style="text-align: center;">Rs. 1,24,91,045.76/- incl GST@18%.</p> <p><b>PART B:</b> Post Warranty CAMC charges for 5 years:</p> <p>Estimate- Rs. 37,98,152.00 Excl GST.</p> <p style="text-align: center;">Rs. 44,81,819.36/- incl GST@18%.</p>
6.7.	TENDER FEE	<p><b>NIL</b></p> <p>Bidders are required to download the tender documents free of cost from IOCL e-tender website (<a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a>)</p>
6.8.	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).
6.9.	TIME OF COMPLETION Part-B	<b>60 months from date of completion of Part-A.</b>

6.10.	<b>MODE OF TENDER SUBMISSION</b>	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.
6.11.	<b>CONTACT PERSON (Tender related query)</b>	<p><b>Name:</b> Shashi Ranjan Kumar</p> <p><b>Designation:</b> Sr. Manager (Contracts)</p> <p><b>Contact No.8521402055</b></p> <p><b>Email-ID:</b> SHASHIRANJAN@INDIANOIL.IN</p> <p><b>Address:</b> 9<sup>th</sup> Floor, Indian Oil Bhavan, 2 Gariahat Road, Dhakuria, Kolkata-700068.</p>
6.12.	<b>CONTACT PERSON (Site related query)</b>	<p><b>Name:</b> Rajesh Kumar Designation: Deputy General Manager(P), LPG Bottling Plant, Patna Phone : 9437156226 e-mail: <a href="mailto:rajeshk1@indianoil.in">rajeshk1@indianoil.in</a></p> <p><b>Name:</b> Ritesh Rishabh Designation: Senior Manager (Plant) LPG Bottling Plant, Patna Phone: 9034657384 e-mail: <a href="mailto:rishabhr@indianoil.in">rishabhr@indianoil.in</a></p>
6.13.	DOWNLOAD OF TENDER DOCUMENT	As per e-tender portal
7	PRE-BID MEETING	As per e-tender portal
8	OPENING DATE AND TIME OF E-BID SUBMISSION	As per e-tender portal
9	CLOSING DATE AND TIME OF E-BID SUBMISSION	As per e-tender portal
10	DATE AND TIME OF TECHNO COMMERCIAL BID OPENING	As per e-tender portal
<b>Corporation reserves the right to revise/extend any Date/Time from scheduled timelines of published tender.</b>		
11	EARNEST MONEY DEPOSIT	<p>Bidders to note that there shall be no requirement of paying EMD against this e-Tender.</p> <p>However, all bidders shall be required to mandatorily submit the Bid Security Declaration in lieu of EMD as</p>

		<p>per annexure in <b>Declarations Excel file</b> attached separately.</p> <p>The requirement of submission of Bid Security Declaration shall also be applicable on bidders who are exempted from payment of EMD (MSEs as per PPP, Startups, CPSEs and JVs).</p> <p>The bid shall be <b>summarily rejected</b> if Bid Security Declaration in lieu of EMD is not uploaded in e Tendering Portal on or before tender submission date and time.</p>
12	BID VALIDITY	<b>(Six) 06 months from last date of bid submission.</b>

**13. Parties, who meet the following qualifying parameters, only need to apply:**

**BIDDER’S QUALIFYING PARAMETERS (BOP)**

**Pre-Qualification criteria:**

Since the tender is an indivisible work contract, PQC relaxation to MSME/Start ups is not proposed for this work.

<b>a</b>		<b>Similar Work Criteria</b>
(i)	Value of WO (s) under Similar Work Criteria	<p><b>Experience of having successfully completed similar works during last 05 years up to the last day of the month previous to the one in which tender is being invited, should be either of the following:</b></p> <p>Three (03) similar completed works each costing not less than the amount equal to <b>Rs. 1,27,10,953/-</b> (including all taxes)</p> <p style="text-align: center;"><b>OR</b></p> <p>Two (02) similar completed works each costing not less than the amount equal to <b>Rs. 1,69,47,938 /-</b> (including all taxes)</p> <p style="text-align: center;"><b>OR</b></p> <p>One (01) similar completed work costing not less than the amount equal to <b>Rs. 2,11,84,922 /-</b> (including all taxes)</p>
(ii)	Definition of Similar Work	<p>The Bidder should have successfully completed:</p> <p><b><u>“Supply, Installation and commissioning of more than 200KWp On-Grid Solar Power Project with Net-Metering Facility”</u></b></p>

		<p>1. The Work Order should contain the above similar work items and for qualification purpose, the entire executed value of WO (which may contain any other item) shall be considered.</p> <p>2. The work experience should be as a principal contractor i.e. there should be direct work order from the principal employer to the tenderer and any Sub-let work experience shall not be considered for the qualification of the tenderer.</p> <p>3. Rate Contracts shall not be accepted against Similar Work Criteria, however individual POs issued under Rate Contracts will be considered.</p>
(iii)	Documents to be submitted against Similar Work Criteria	<p>(i) In case of work order from Government Bodies/PSUs- Copies of Contract Document along with either completion certificates or duly certified copy of bill/invoice. Copy of contract document may not be insisted if completion certificate/ bill/ invoice copy specifies details otherwise required like date of PO/ contract agreement, contract value, execution value, date of completion and other requirements if any.</p> <p>(ii) In case of work order from Private Parties- Certificate from CA certifying value of work done with TDS certificates (where applicable) / Bank statement shall be required in addition to that specified in (i), which shall be used as corroborative evidence only.</p> <p>(iii) In case of foreign currency transaction to Indian firms, proof remittance shall also be required. For the works carried out abroad and payments received by the Bidder in foreign currency, exchange rate as per SBI TT Selling rate as on the last date of month previous to the one in which the Tender is being invited will be considered for conversion in INR.</p> <p>(iv) Certificate from client on copies of Tax invoices shall not be required for material procurement. Requirement of Inspection release note if applicable may be specified.</p> <p>(v) Against orders placed by IOCL, proof of completion may be established from internal records.</p> <p>(vi) Orders for which details of completion are available directly from client or from database against past orders can also be accepted.</p>
<b>b</b>	<b>Turnover Criteria</b>	

(i)	Minimum Turnover	<p>The turnover of the Tenderers during any of the preceding three financial years (FY 2020-21 OR FY 2021-22 OR FY 2022-23) should be at least 60% of the annualized estimated value of the work under consideration i.e.</p> <p><b>Rs. 2,54,21,907/-</b></p>
(ii)	Documents to be submitted against Annual Turnover Criteria	<p>Definition of Turnover: Total Revenue as per Schedule III of Companies act, 2013 (Earlier revised Schedule VI of Companies Act, 1956) shall be considered as Turnover.</p> <p>Turnover for this purpose should be as per audited Balance Sheet including P&amp;L Statement/ Published Account / Profit &amp; 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 obtained.</p> <p>In case of non-availability of Audited Balance Sheet (Profit and loss account statement)/Published accounts of the immediately preceding year, the Audited Balance Sheet (P&amp;L Statement)/Published account of 4th preceding year (FY 2019-20) shall also be acceptable.</p> <p>Audited Balance Sheet (P&amp;L Statement)/Published accounts on a calendar year basis shall also be acceptable.</p> <p>Provisional Balance Sheet and P&amp;L account statement shall not be considered for evaluation, even if the same is uploaded.</p>
<b>c</b>	<b>Capability against Procurement Contract</b>	
	NA	
<b>d</b>	<b>Technical Criteria</b>	
	<p>The bidder should be original equipment manufacturer (OEM) or the authorized representative of the offered Solar Panel. <b>Bidder to furnish documentary evidence in support of the same from OEM.</b></p> <p>Bidder should have authorization from OEM for a period of 10 years for after sales service and spares support. <b>Bidder to furnish supporting document.</b></p> <p>Bidder to furnish Proven Track Record (PTR) of continuous trouble free operation for 3 years in the period of last five years, from the date of schedule tender bid opening.</p>	



	<p>Bidder to also furnish the following in support of the <b>above point no. 3</b>,</p> <p>(a) Copy of the Purchase order.</p> <p>(b) Completion document.</p> <p>(c) Contact no. &amp; e-mail ID of the end user.</p>																
	<p><b>Notwithstanding any other condition/ provision in the tender documents, bidders are required to submit complete documents pertaining to PQC along with their offer. Failure to meet the PQC will render the bid to be summarily rejected.</b></p> <p><b>IOC reserves the right to complete the evaluation based on the details furnished by the bidders, with or without seeking any additional supporting documents/clarifications.</b></p>																
<b>14</b>	<b>Other Commercial Criteria</b>																
	<p>Following other criteria shall also be considered for commercial evaluation:</p> <table border="1" data-bbox="277 814 1421 1052"> <tr> <td data-bbox="277 814 354 873">1</td> <td data-bbox="354 814 1421 873">PAN CARD</td> </tr> <tr> <td data-bbox="277 873 354 932">2</td> <td data-bbox="354 873 1421 932">PF No.</td> </tr> <tr> <td data-bbox="277 932 354 991">3</td> <td data-bbox="354 932 1421 991">GST Registration Certificate</td> </tr> <tr> <td data-bbox="277 991 354 1052">4</td> <td data-bbox="354 991 1421 1052">Partnership deed or Certificate of Incorporation with Memorandum &amp; Articles of Association</td> </tr> </table> <p data-bbox="277 1052 1421 1087"><b>5</b> Power of Attorney:</p> <p data-bbox="277 1087 1421 1339">Authority of the person uploading the bids with his DSC shall be required to be submitted in the bids. Document required showing the authority of the person uploading &amp; submitting the bid with his Digital Signature Certificate shall be as given in the following table.</p> <table border="1" data-bbox="440 1350 1336 1875"> <tr> <td data-bbox="440 1350 654 1528">In case of Proprietary Concern</td> <td data-bbox="654 1350 1336 1528"> <ul style="list-style-type: none"> <li>If the bid is submitted by the proprietor, no POA required. However, he will upload undertaking certifying that he is sole proprietor.</li> <li>If the bid is submitted by person other than proprietor, POA authorising the person to submit bid on behalf of the concern.</li> </ul> </td> </tr> <tr> <td data-bbox="440 1528 654 1707">In case of Company</td> <td data-bbox="654 1528 1336 1707"> <ul style="list-style-type: none"> <li>Certified copy of Board Resolution authorising the person submitting the bid on behalf of the company.</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>POA and the supporting Board Resolution authorising the person submitting the bid on behalf of the company.</li> </ul> </td> </tr> <tr> <td data-bbox="440 1707 654 1791">In case of Partnership Firm/LLP</td> <td data-bbox="654 1707 1336 1791">POA along with Deed of Partnership / LLP Agreement.</td> </tr> <tr> <td data-bbox="440 1791 654 1875">In case of Co-Operative Society</td> <td data-bbox="654 1791 1336 1875">Copy of resolution passed as per Society Rules.</td> </tr> </table>	1	PAN CARD	2	PF No.	3	GST Registration Certificate	4	Partnership deed or Certificate of Incorporation with Memorandum & Articles of Association	In case of Proprietary Concern	<ul style="list-style-type: none"> <li>If the bid is submitted by the proprietor, no POA required. However, he will upload undertaking certifying that he is sole proprietor.</li> <li>If the bid is submitted by person other than proprietor, POA authorising the person to submit bid on behalf of the concern.</li> </ul>	In case of Company	<ul style="list-style-type: none"> <li>Certified copy of Board Resolution authorising the person submitting the bid on behalf of the company.</li> </ul> <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> <li>POA and the supporting Board Resolution authorising the person submitting the bid on behalf of the company.</li> </ul>	In case of Partnership Firm/LLP	POA along with Deed of Partnership / LLP Agreement.	In case of Co-Operative Society	Copy of resolution passed as per Society Rules.
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	<p><b>6</b> <u>UNDERTAKINGS AND DECLARATIONS:</u></p> <ul style="list-style-type: none"> <li>✓ Undertaking for Acceptance of Tender terms and conditions.</li> <li>✓ Declaration A,B,C,D.</li> <li>✓ Declaration regarding Holiday/Black Listing.</li> <li>✓ Undertaking for Non-Tampering of Data.</li> <li>✓ Declaration on NCLT/NCLAT/DRT/DRAT/Court Receivership/Liquidation</li> <li>✓ Compliance Certificate regarding bidders from countries which shares a land border with India</li> <li>✓ Undertaking for Status of Business Transaction</li> <li>✓ Undertaking for No Multiple Bidding</li> </ul> <p><b>Note:</b></p> <p>Documents if available in public domain or available in IOCL database (SAP records) may also be considered.</p>
<b>15</b>	<b>Evaluation Criteria</b>
	<p>The procedure for evaluation of tenders shall be as follows:</p> <ol style="list-style-type: none"> <li>1. Only the Technical Bid, of those parties uploading their tenders before due date and time of submission, shall be considered for opening.</li> <li>2. The techno- commercial bid shall be scrutinized and evaluated based on the qualifying parameters mentioned above and 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.</li> <li>3. The Price Bid of only those parties shall be opened who qualify as per the qualifying parameters after evaluation as mentioned above. Prior intimation will be sent to the qualifying parties regarding due date and time of opening of Price Bid.</li> <li>4. Bidders are informed that Reverse Auction will be conducted for finalizing this Tender. Qualifying Criteria for Reverse Auction:       <ol style="list-style-type: none"> <li>a. In case of tenders with preferential bidding and if there are more than three (3) techno-commercially accepted bidders:           <ol style="list-style-type: none"> <li>I. H1 bidder will be rejected if he is a non-preferential bidder;</li> <li>II. In case if H1 bidder is a preferential bidder, H1 bidder will be rejected if his quote is beyond the defined tolerance limit of L1 price as per his preferential category.</li> </ol> </li> <li>b. In case of more than one H1 bidders (H1 tie), latest bid received (bidder whose bid is received at the last) out of all H1 bidders will be rejected.</li> <li>c. An intimation by mail / SMS shall be provided to the eligible bidders for Reverse Auction.</li> </ol> </li> <li>5. The lowest price shall be available on the Reverse Auction screen at any point of time during the Auction process. This displayed price is the evaluated price based on which the lowest bid is determined as per evaluation criteria of BoQ / Tender Terms &amp; conditions. Accordingly, the bidder will put his quote in the Auction window if he wants to offer the reduced price considering the evaluation criteria as per Price Bid (BoQ) / Tender Terms &amp;</li> </ol>

Conditions.

6. Wherever required, the Evaluation factor/ criteria shall be informed to the bidders before start of Reverse Auction. In other cases, the bidder shall calculate his final evaluated price as per BOQ or evaluation criteria mentioned in the tender document and quote accordingly.
7. The lowest quote after opening of Price Bids/end of Reverse Auction shall be considered for further processing.
8. Party who has quoted the lowest rate (L1 rate) 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, all the L-1 bidders shall be asked to submit the discount bid in terms of percentage discount over previous quoted amount 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 the event of bidder submitting turnover documents for only one or two years, L-1 shall be submitted on the basis of turnovers submitted.

9. 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.
10. 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.
11. 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). In such situation next lowest shall be considered as L1.
12. 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.
13. Document verification with originals shall be carried out after opening of price bids for the short-listed bidder(s) only. Since documents are submitted by the bidder(s) in the tender, the responsibility of authenticity of documents shall be with the bidder(s).
14. Shortlisted bidder(s) shall be required to present their original documents to the tender inviting authority within a period of 7 days from the date of intimation by IOCL.

In the event of failure of such bidder(s) to get the documents verified the Bid Security Declaration shall be invoked. In case it is observed that if any bidder(s) submitted forged documents / credentials, necessary action for holiday listing of the bidder(s) shall be carried out including invoking Bid Security Declaration.

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

- 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.

**Purchase Preference:**

**The Public Procurement (Preference to Make in India) Order 2017, revision dt. 16.09.2020 (aka PP-MII Order 2017) read in conjunction with MoPNG Order FP-20013/2/2017-FP-PNG-Part (4) (E-41432) dt 26.04.2022 shall be applicable.**

**The PP-MII Order 2017 shall be applicable for procurements of Goods, Works and Services. HP-HT operations in upstream oil and gas business activities shall be exempted from applicability of the Order.**

The salient features of the PP-MII Order 2017 are furnished hereunder:

- ✓The PP-MII Order 2017 shall be applicable for procurement of Goods, Works and Services.
- ✓The applicable definitions shall be as covered under Public Procurement (Preference to Make in India) Order 2017 - Revision dated 16.09.2020 issued by DPIIT.
- ✓The supplier classification, margin of purchase preference along with broad allocation, exemption limit for purchases and eligibility of suppliers for different types of

procurement under PPP- MII Order shall be as follows:

SN	Description	Details
1	<b>Supplier Classification:</b>	
a.	Class-I Local supplier	LC >= 50%
b.	Class-II Local supplier	LC >=20% < 50%
c.	Non-Local supplier	LC < 20%
	Local value addition through services such as transportation, insurance, installation, commissioning, training and after sales services support like AMC/CMC etc. shall continue to be considered in the local content calculation.	
2	<b>Margin of Purchase preference (PP- MII)</b>	20% (i.e. L1+20%)
3	<p><b>Eligibility for participation:</b></p> <ul style="list-style-type: none"> <li>a) Only Class-I local supplier and Class-II local supplier shall be eligible to bid in procurements undertaken by procuring entities, except where Global tender enquiry has been issued. In global tender enquiries, Non local suppliers shall also be eligible to bid along with Class-I local suppliers and Class -II local suppliers.</li> <li>b) Non Local Suppliers, including MSE (s) falling in the category of Non Local Supplier, shall be eligible to bid only against Global Tender Enquiry.</li> <li>c) For the purposes of the PP-MII Order 2017 , works includes Engineering, Procurement and Construction (EPC) contracts and services include System Integrator (SI ) contracts.</li> </ul>	
4	<p><b>Purchase preference and broad allocation:</b></p> <p>A) Subject to the provisions of the PP-MII Order 2017 and to any specific instructions issued by the Nodal Ministry or in pursuance of the Order, purchase preference shall be given to Class -I local supplier in procurements undertaken by procuring entities as per the eligibility of suppliers for different types of procurement in the manner specified hereunder:</p> <ul style="list-style-type: none"> <li>a) In the procurement of goods or works which are not divisible in nature and in the procurement of services where the bid is evaluated on price alone, the Class-I local supplier shall get purchase preference over Class-II local supplier as well as Non-Local supplier as per the following procedure: <ul style="list-style-type: none"> <li>i) Among all qualified bids, the lowest bid shall be termed as L1. If L1 is Class-I local supplier, the contract for the full quantity shall be awarded to L1.</li> <li>ii) If L1 bidder is not a Class-I local supplier, the lowest bidder among the Class-I local supplier will be invited to match the L1 price subject to the Class-I local suppliers quoted price falling within the margin of purchase preference and contract shall be awarded to such Class-I local supplier subject to matching the L1 price.</li> <li>iii) In case such lowest eligible Class -I local supplier fails to match the L1 price the Class-I local supplier with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on, and contract shall be accorded accordingly. In case none of the Class-I local supplier within the margin of purchase preference matches the L1 price, the contract may be awarded to the L1 bidder.</li> </ul> </li> <li>b) Class-II local supplier will not get purchase preference in any procurement undertaken by procuring entities.</li> </ul>	

Other provisions shall be as per the details given in the Public Procurement (Preference to Make in India) Order 2017 including amendments issued from time to time.
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✓ **Verification of local content:**

- a) The Class-I local supplier / Class-II local supplier at the time of tender, bidding or solicitation shall be required to indicate percentage of local content and provides self-certification that the item offered meets the local content requirement for Class-I local supplier / Class-II local supplier, as the case may be. They shall also give details of the location(s) at which local value addition is made.
- b) In cases of procurement for a value in excess of Rs 10 crores, the Class-I local supplier / Class-II local supplier shall be required to provide a certificate from the statutory auditor or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.
- c) False declarations will be in breach of the Code of Integrity under Rule 175(1)(i)(h) of GFR for which a bidder or its successors can be debarred for up to two years along with such other actions as may be permissible under law.

A supplier who has been debarred by any procuring entity for violation of this Order shall not be eligible for preference under this Order for procurement by any other procuring entity for the duration of the debarment. The debarment for such other procuring entities shall take effect prospectively from the date on which it comes to the notice of other procurement entities, in the manner prescribed under Clause 9h. of the Order.

✓ **Reciprocity Clause:**

- a) Entities of countries which have been identified by the nodal Ministry / Department as not allowing Indian companies to participate in their Government procurement for any item related to that nodal Ministry shall not be allowed to participate in Government procurement in India for all items related to that nodal Ministry / Department, except the list of items published by the Ministry / Department permitting their participation. The term entity of a country shall have the same meaning as under the FDI policy of DPIIT as amended from time to time.

✓ All Bidders participating in the tender shall submit LC declaration against qualifying as Class I, Class II or Non-Local supplier. The formats for Bidders Declaration /Undertaking on classification regarding Local Content (LC) are provided in the tender. Local value addition through services such as transportation, insurance, installation, commissioning, training and after sales support like AMC/CMC etc. shall continue to be considered in local content calculation.

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

- ✓ Guidelines for application of PPP-MII Order, 2017 shall be as follows:

Suppliers may be categorized in the following three broad categories for consideration or applicability of purchase preference:

Category	Terminology
Supplier is Class -I local supplier	Class-I local supplier
Supplier is Class -II local supplier	Class-II local supplier
Supplier is neither Class -I local supplier nor Class -II local supplier	Non local supplier

For non-divisible items for which Class-I local suppliers are eligible for purchase preference, possible scenarios can be as under:

- L1 is Class-I local supplier- Contract is to be awarded to L1.
- L1 is not “Class-I local supplier” but the “Class-I local supplier” falls within 20 % margin of purchase preference - Purchase preference is to be given to lowest quoting “Class-I local supplier”. If lowest quoting “Class-I local supplier” does not accept L-1 rates, the next higher “Class-I local supplier” falling within 20 % margin is to be given purchase preference and so on.
- If no Class-I local supplier falling within 20 % margin of purchase preference accepts the L-1 rate, or there is no Class-I local supplier falling within 20 % margin of purchase preference- Contract is to be awarded to L1.

**Note: In case of works, purchase preference shall not be applicable for MSE bidders as per PPP-MSE Order.**

The allocation provided above are examples of scenarios considering the position of those bidders who are otherwise eligible for purchase preference (i.e., quoted within the margins of purchase preference i.e., L1+20 % for PPP-MII bidders under PPP-MII Order and bidders have ticked option for availing preferential benefit in the e-tender (NIC) portal) and have agreed to match the offered L1 rate.

✓ **The following is also to be noted:**

- 1) Non-local suppliers, including MSE falling in the category of Non-local suppliers shall be eligible to bid only against Global Tender Enquiry.
- 2) All Bidders participating in the tender shall submit LC declaration against qualifying as Class-I, Class-II or Non-Local supplier as per formats attached.
- 3) In cases of Public Tenders, if the bidder does not provide declaration against being a Class I or Class II Bidder (as per specific requirement of bid eligibility for procurements defined in above sections) even after giving opportunity, the bid shall be rejected as being from a non -eligible bidder. For Global Tenders, if the bidder does not provide declaration against being a Class | Bidder (even after giving opportunity), the bidder shall be treated as a Non Local Supplier / Non Preferential Bidder.
  - For availing purchase preference, bidders must necessarily update the necessary details in their profile in My Accounts Menu in the e-tender (NIC) portal. Bidder who have updated details in bidder profile under any of the preference categories will get option to avail preferential benefit and upload supporting document for availing preferential benefit, based upon the tender provisions regarding applicable preference categories. Merely updating the bidder Profile does not make the bidder eligible for Purchase Preference for this tender. The bidder must select “Yes” option in “Avail Preferential Bidder Option” and upload the valid preference document for the

same, for claiming preferential benefit.

- Bidders intending to claim preferential benefit must comply with the requirements as explained below.
- Currently, the NIC portal allows only one option to be chosen by the bidder for availing purchase preference (i.e., either under PPP-MII or PPP-MSE but not both simultaneously). Considering this current limitation in NIC portal, following modality shall be followed for complying with the provisions of OM no F.1/4/2021-PPD dt 18.05.2023 on concurrent application.

a) **For benefit during RA:** Preferential bidders shall indicate the applicable option at the designated section of the tender portal while participating in the tender as per their status, duly supported by clear and unambiguous documentary evidence. The option ticked by the bidder in the portal against selection of purchase preference shall be used solely for the purpose of the elimination of the H1 bidder during Reverse Auction process. Bidders who do not tick any option shall not get any preferential benefit during the RA process, irrespective of whether they have submitted documents towards their preferential status or not.

b) **For benefit during allocation:** The documents submitted by the preferential bidders in the tender towards establishing their status and classification (either as MSE Class-I local supplier or MSE but non Class-I local supplier or Non-MSE but Class-I local supplier or Non MSE non Class-I local supplier) shall be the ONLY basis of purchase preference considered during allocation. For example, if a bidder wants to claim purchase preference as both MSE as well as Class I local supplier for allocation purpose, they must upload documents establishing their status as both MSE & Class-I local supplier. The purchase preference to be operated during allocation shall be independent of whether bidder has ticked any option in the portal or not.

Therefore, the methodology with respect to acceptance of claimed "Preference Category" in preferential bidding for the sole purposes of allocation shall be as per the following matrix:

Case	Selection of preference category in e-portal by bidder	Valid document for preferential treatment to be submitted by bidder	Modality for preferential treatment in allocation
1	YES	YES	To be considered for preferential treatment, wherever applicable
2	YES	NO	Will not be considered for preferential treatment
3	NO	YES	To be considered for preferential treatment, wherever applicable
4	NO	NO	Will not be considered for preferential treatment.

It may be noted that only qualified preferential bidders who have quoted within the applicable purchase preference margins, submitted valid documents towards establishing their status for purchase preference and agree to match the offered L-1 price shall only be considered for allocation as per terms and conditions of the tender.

- ✓ **Note: Wherever mentioned, the term PP-LC (Purchase Preference linked to Local Content) is to be read as PP-MII (Purchase Preference to Make in India).**



**OTHER POINTS:**

1. Each tenderer can submit only one bid.  
It is clarified that a person shall be deemed to have submitted multiple bids if he submits more than one bid either individually or in any combination of person (individual capacity, proprietor, affiliates, partnership, association of persons, Company). All such multiple bids shall be liable for rejection.
  - (a) A person shall for this purpose mean an individual, proprietor, any partner, association of persons, affiliate and company.
  - (b) A company shall for this purpose include any artificial person whether constituted under the laws of Indian or of any other country.
  - (c) A person shall be deemed to have bid in a partnership format or in association of persons format if he is a partner of the firm which has submitted the bid or is a member of any association of persons which has submitted a bid.
  - (d) A person shall be deemed to have bid in a Company format if, the person holds more than 10% (ten percent) of the voting share capital of the company which has submitted a bid, or is a Director of the Company which has submitted a bid, or holds more than 10% (ten percent) of voting share capital and/or is a Director of a holding Company which has submitted the bid.
  - (e) Affiliates of a firm are not permitted to make separate bids directly or indirectly. Two or more parties who are affiliates of one another can decide which affiliate will make the bid. Only one affiliate may submit a bid. If two or more affiliates submit more than one bid, then all such bids shall be liable for rejection.
2. 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.
3. Bids from Consortium or MOU parties shall not be accepted.
4. The tenders will be summary rejected if EMD Instrument is not submitted.
5. The bid of the party will also be rejected on the following grounds:
  - i. Tenderer not meeting tender qualifying parameter norms specified / not submitting pre qualifying and Other Mandatory documents as per NIT.
  - ii. Non-withdrawal of conditions imposed in tender document & conditions imposed during negotiations.
  - iii. 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.
  - iv. Tenderer submitting fabricated/ false/ forged documents for the tender.
  - v. 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 EMD Instrument.
- b) Does not fulfill minimum qualification criteria prescribed in the Tender Documents
- c) Submits the tender after due date and time
- d) Is holiday listed or blacklisted
- e) Use of White / erasing fluid in Rates for physical bids
- f) 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.

	<ul style="list-style-type: none"> <li>b) Stipulates his own conditions.</li> <li>c) Does not disclose the constitution of the firm with full names and addresses of all his partners / Directors.</li> <li>d) Does not fill in and sign the tender form as well as the schedule of rates, annexure, specifications, etc.</li> <li>e) Does not have PF Code / Number from the Regional Provident Fund Commissioner.</li> <li>f) if the tenders are partly quoted</li> <li>g) if the tenders contain unacceptable terms and conditions</li> <li>h) if the tender is not according to our format</li> <li>i) In case of suo Moto reduction in the prices offered by the tenderer.</li> <li>j) Revised price bid during validity period without being asked for.</li> </ul>
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**OTHER MANDATORY DOCUMENTS:** As given in Excel File of Declarations as per Tender document.

- A. ACCEPTANCE OF ALL TERMS & CONDITIONS OF TENDERER
- B. DECLARATION ON NCLT/NCLAT/DRT/DRAT/COURT RECEIVERSHIP/LIQUIDATION
- C. CERTIFICATE FOR BIDDERS FROM A COUNTRY WHICH SHARES A LAND BORDER WITH INDIA
- D. UNDERTAKINGS AND DECLARATIONS FOR NON-TAMPERING OF DATA
- E. DECLARATION OF BLACKLISTING / HOLIDAY LISTING
- F. DECLARATION "A", "B", "C" & "D"
- G. UNDERTAKING FOR BUSINESS TRANSACTION STATUS OF BIDDERS
- H. PARTICULARS OF BIDDER FIRM
- I. UNDERTAKING ON NO MULTIPLE BIDDING
- J. DECLARATION AND UNDERTAKING ON PURCHASE PREFERENCE (PP-MII) POLICY
- K. BID SECURITY DECLARATION FROM BIDDERS IN LIEU OF EMD
- L. CONFIRMATION ON APPLICABILITY OF MSE
- M. INTEGRITY PACT AGREEMENT ALONG WITH COVERING LETTER (IF APPLICABLE)

#### **16.0 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) Notwithstanding any other condition/ provision in the tender documents, bidders are required to submit complete documents pertaining to PQC along with their offer. Failure to meet the PQC will render the bid to be summarily rejected. IOC reserves the right to complete the evaluation based on the details furnished by the bidder, with or without seeking any additional supporting documents/ clarifications.
- j) Fax/ E-mail / Hard Copy of bids shall not be accepted.
- k) 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.
- l) 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.
- m) The amendment will be notified through e-Tender portal to all bidders who have downloaded the Tender Document and will be binding on them.
- n) 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.
- o) 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.
- p) 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.
- q) IOCL reserves the right of annulment of tender without assigning any reasons whatsoever.

- r) 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.
- s) 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.
- t) Any legal dispute shall be within the jurisdiction of court at Patna.

Thanking you.  
For Indian Oil Corporation Ltd  
General Manager  
Regional Contract Cell  
Eastern Region

DO NOT QUOTE PRICE HERE