

### NOTICE INVITING E-TENDER

SN	PARTICULARS	DETAILS																			
1	Tender No.	<b>MnC/NR/HR/PT-201/25-26</b>																			
2	E-Tender ID	<b>2026_NRO_188488_1</b>																			
3	<b>Name of Work &amp; Location,</b>  <b>Person to be contacted for site visit, local conditions</b>	Engineering, Procurement, Construction (EPC) inclusive of 1-Year Comprehensive Operation & Maintenance (O&M) of 1 MWp (AC) On-Grid Solar Power Project at IndianOil LPG Bottling Plant, Tikri Kalan, Delhi with Group Metering mapping with Indian Oil Bhawan, Northern Region Office at 1 Aurobindo Marg, Yusuf Sarai, New Delhi-110016 and its further Comprehensive O&M for 4 Years.  <b>Site Related:</b> Manager (ES), NRO e-Mail ID: <a href="mailto:awals@indainoil.in">awals@indainoil.in</a> Mob: 9958782813																			
4	<b>Brief description of the job involved</b>	Part-I: Engineering, Procurement, Construction (EPC) of 1 MWp (AC) On-Grid Solar Power Project at IndianOil LPG Bottling Plant, Tikri Kalan, Delhi with Group Metering mapping with Indian Oil Bhawan, Northern Region Office at 1 Aurobindo Marg, Yusuf Sarai, New Delhi-110016 including 1-Year Comprehensive Operation & Maintenance (O&M) post commissioning of the plant.  Part-II: Operation & Maintenance of plant and power evacuation infrastructure for a further period of 4 years from the date of completion of work mentioned in Part-A.																			
5	<b>ESTIMATED VALUE OF WORK</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th><th style="text-align: center;">Estimated value</th><th style="text-align: center;">GST</th><th style="text-align: center;">Estimated value (incl GST)</th></tr> </thead> <tbody> <tr> <td>Part – I</td><td style="text-align: center;">5,30,83,978.07</td><td style="text-align: center;">71,85,987.07</td><td style="text-align: center;">6,02,69,965.14</td></tr> <tr> <td>Part – II</td><td style="text-align: center;">15,92,527.80</td><td style="text-align: center;">2,86,655.00</td><td style="text-align: center;">18,79,182.80</td></tr> <tr> <td><b>Total</b></td><td style="text-align: center;"><b>5,46,76,505.87</b></td><td style="text-align: center;"><b>74,72,642.07</b></td><td style="text-align: center;"><b>6,21,49,147.94</b></td></tr> </tbody> </table> <p style="text-align: center;">Total Estimated value is <b>Rs. 6,21,49,147.94/-</b> (Inclusive of GST)  (Rs. Six Crores Twenty-One Lacs Forty-Nine Thousand One Hundred Forty-Seven and Paise Ninety-Four only)</p> <p><b>IOCL GST for Delhi:</b> 07AAACI1681G1ZR</p>					Estimated value	GST	Estimated value (incl GST)	Part – I	5,30,83,978.07	71,85,987.07	6,02,69,965.14	Part – II	15,92,527.80	2,86,655.00	18,79,182.80	<b>Total</b>	<b>5,46,76,505.87</b>	<b>74,72,642.07</b>	<b>6,21,49,147.94</b>
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6	<b>TYPE OF TENDER</b>	Electronic Bid under Two Bid System Part-1: Technical/ Commercial Bid Part-2: Price Bid  <b>Reverse Auction is applicable for this tender.</b>																			
7	<b>TENDER FEE</b>	NIL. Bidders are required to download the tender documents from IOCL e-tender website ( <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a> )																			
8	<b>EARNEST MONEY DEPOSIT</b>	<b>Rs. 1,56,000/- (Rs. One Lakh Fifty-Six Thousand Only)</b>																			
		<p><b>A. MODE OF PAYMENT OF EARNEST MONEY:</b></p> <p>i) <b>EMD amount up to Rs. 1 Lakh:</b>  EMD to be submitted through online payment at IOCL e-tender portal along with the offer.  <b>(EMD payment through Demand Draft, Bankers Cheque and Swift Transfer shall not be accepted.)</b></p> <p>ii) <b>EMD amount more than Rs. 1 Lakh:</b>  EMD can be submitted through online payment at IOCL e-tender portal along with the offer or through Bank Guarantee (BG). <b>The validity of BG in lieu of EMD shall be at least 3 months beyond bid validity.</b> Bank Guarantee</p>																			

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		<p>must be strictly as per IOCL format. Scanned Copy of EMD instrument i.e. Bank Guarantee has to be uploaded in the un-priced bid and the bidder should also ensure that the original BG in physical form duly enclosed in a sealed envelope super-scribed with "Offline EMD", Bidder's Name, Tender No., bid submission end date &amp; time, is received at the office of tender issuing authority as per following schedule:</p> <ol style="list-style-type: none"> <li>Single Bid Tenders: Before due date and time of opening of bids.</li> <li>Two Bid Tenders: Within 7 working days from the date of opening of technical bids.</li> </ol> <p><b>Note:</b></p> <ol style="list-style-type: none"> <li>Bank Guarantee should be submitted as per enclosed proforma only by the Tenderer. Such BG should be submitted only in a sealed envelope of the issuing Bank and should not be in open condition.</li> </ol> <p><b><u>In case BG toward EMD, SFMS details to IOCL Bank details are as follows:</u></b></p> <table border="1" data-bbox="716 788 1422 1028"> <thead> <tr> <th data-bbox="716 788 806 844">Sl. No.</th><th data-bbox="806 788 1108 844">Particulars</th><th data-bbox="1108 788 1422 844">Details</th></tr> </thead> <tbody> <tr> <td data-bbox="716 844 806 878">I</td><td data-bbox="806 844 1108 878">Beneficiary Address</td><td data-bbox="1108 844 1422 878">Indian Oil Corporation Ltd.</td></tr> <tr> <td data-bbox="716 878 806 911">II</td><td data-bbox="806 878 1108 911">Bank Details</td><td data-bbox="1108 878 1422 911"></td></tr> <tr> <td data-bbox="716 911 806 979">a.</td><td data-bbox="806 911 1108 979">Name &amp; Address of the Bank</td><td data-bbox="1108 911 1422 979">SBI MAIN BRANCH, PARLIAMENT STREET, NEW DELHI</td></tr> <tr> <td data-bbox="716 979 806 1012">b.</td><td data-bbox="806 979 1108 1012">A/c No.</td><td data-bbox="1108 979 1422 1012">30102840918</td></tr> <tr> <td data-bbox="716 1012 806 1046">c.</td><td data-bbox="806 1012 1108 1046">IFSC Code</td><td data-bbox="1108 1012 1422 1046">SBIN0000691</td></tr> </tbody> </table> <p>If BG towards EMD is submitted in any manner other than aforesaid, the Tender is liable to be rejected.</p> <ol style="list-style-type: none"> <li>For the purpose of receipt of BG, the time recorded in the receipt / dispatch section against receipt shall be considered as receipt time.</li> <li>Only those physical BG instruments found matching with the copy submitted in the e- portal shall be considered as valid.</li> <li>IOCL shall not be responsible for postal/courier delay, non-receipt or loss in transit.</li> <li>In case bidder does not submit EMD as mentioned above, then the bid shall be liable for rejection.</li> </ol> <p><b>iii) Insurance Surety Bond (ISB):</b></p> <ul style="list-style-type: none"> <li>EMD can also be submitted by the bidders in the form of Insurance Security Bond (ISB) as per the format attached (Annexure-II)</li> <li>Insurance Security Bonds (ISBs) shall have to be issued by insurer registered with IRDAI. Presently, following are the five insurers who have launched insurance products: <ol style="list-style-type: none"> <li>SBI General Insurance</li> <li>New India Assurance Company</li> <li>Bajaj Allianz General Insurance</li> <li>ICICI Lombard</li> <li>HDFC General Insurance Company</li> </ol> </li> <li>Only Indian Bidders can submit ISBs for work/supplies within India</li> <li>ISB should be executed on a non-judicial stamp paper of appropriate value and in INR denomination only.</li> <li>ISB should be irrevocable and unconditional and without recourse/reference to the bidder.</li> <li>Scanned Copy of EMD instrument i.e. ISB has to be uploaded in the un-priced bid and the bidder should also ensure that the original ISB in physical form duly enclosed in a sealed envelope super-scribed with "Offline EMD", Bidder's Name, Tender No., bid submission end date &amp; time, is received at the office of tender issuing authority (directly from</li> </ul>	Sl. No.	Particulars	Details	I	Beneficiary Address	Indian Oil Corporation Ltd.	II	Bank Details		a.	Name & Address of the Bank	SBI MAIN BRANCH, PARLIAMENT STREET, NEW DELHI	b.	A/c No.	30102840918	c.	IFSC Code	SBIN0000691
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		<p>the Insurer or the bidder / vendor via Registered Post, Speed Post, Courier, or by hand) as per following schedule:</p> <ul style="list-style-type: none"> <li>▪ Within 5 working days from the date of the opening of technical bids</li> </ul> <p><b>NOTE:</b> Offers received without EMD as per tender requirement shall be liable for summarily rejection. (BSD is not applicable in this tender)</p> <p><b>B. EMD EXEMPTION:</b></p> <p>EMD is not required in the following cases;</p> <ol style="list-style-type: none"> <li>a) Government organization &amp; Public Sector Undertaking of the Central / State Government</li> <li>b) JV / subsidiary companies of IOCL</li> </ol> <p><b>EMD Exemption for MSE Bidder is NOT APPLICABLE for this tender as the nature of tendered work is works contract.</b></p>
<b>9</b>	<b>TENDER DOWNLOAD PERIOD FROM e-TENDER PORTAL:</b>	
a)	<b>DOWNLOAD PERIOD OF TENDER DOCUMENT STARTS</b>	As per e-Tender Portal <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a>
b)	<b>SEEK CLARIFICATION START DATE</b>	As per e-Tender Portal <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a>
c)	<b>SEEK CLARIFICATION END DATE</b>	As per e-Tender Portal <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a>
d)	<b>PRE-BID MEETING</b>	Date : As per e-Tender Portal ( <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a> )
		<p><b>Venue:</b></p> <p>INDIAN OIL CORPORATION LIMITED MARKETING DIVISION INDIAN OIL BHAVAN, NORTHERN REGION OFFICE, AUROBINDO MARG, YUSUF SARAI, NEW DELHI – 110016</p> <p>(Any clarification sought by the tenderer regarding the tender shall be attended in the Pre Bid meeting. Hence, Tenderers are advised to attend the Pre-Bid meeting as detailed in the NIT. Tenderer may note that the Pre Bid Minutes uploaded in the tender after said Meeting shall form a part of tender document. Hence tenderer shall have to accept all the terms &amp; condition of the Pre Bid Minutes for quoting their offer).</p> <p>All bidders intending to raise queries shall do so either through e-mail to the contact person or through seek clarification option on e-tender portal, before the due date &amp; time of pre-bid meeting.</p> <p>(Bidder are advised to send their queries at least 48 hours prior to commencement of pre-bid meeting schedule.)</p>
e)	<b>DUE DATE &amp; TIME OF UPLOAD OF TENDER DOCUMENTS</b>	<p>As per e-Tender Portal <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a></p> <p>IOCL(MD), M&amp;C, NR at its discretion may extend the deadline for submission of the bids.</p> <p>Tender documents can be downloaded free of charge from the website <a href="http://www.iocletenders.nic.in">www.iocletenders.nic.in</a> during the above period.</p>
f)	<b>DATE &amp; TIME OF OPENING OF TECHNICAL COMMERCIAL BID</b>	<p>As per e-Tender Portal <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a></p> <p>Tender (Techno-commercial) shall be opened on above date/time or at a later date/time convenient thereafter. Date and time of Priced Bid opening will be communicated only to techno-commercially acceptable bidders.</p>
10	<b>TENDER VALIDITY</b>	<p>Offer shall be valid for <b>180 Days</b> from date of opening of technical bid. In case of requirement, IOCL may seek further extension of the validity of the offer from the bidders.</p> <p>On account of exigencies, if bidders are advised to extend their validity, the same should be without any deviation and without any change in the prices.</p>

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		<p>However, the bidders would be allowed to withdraw the bid in case they do not wish to extend the validity.</p> <p>But, if a bidder deviates or changes price, its offer shall be rejected.</p>
11. a	<b>WORK COMPLETION TIME (Part-I)</b>	Part I -18 months (6 months for project commissioning + 12 months of 1-Year Inclusive O&M) from date of LOA.
11. b	<b>WORK COMPLETION TIME (Part-II)</b>	Operation & Maintenance of plant and power evacuation infrastructure for a further period of 4 years from the date of completion of work mentioned in Part-I.
12	<b>MODE OF TENDER SUBMISSION</b>	Bidders 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
13	<b>SECURITY DEPOSIT</b>	<p>The successful tenderer shall pay security deposit, an amount equivalent to flat <b>10% of Contract Value (exclusive of GST)</b> and it will be held with IOCL till the completion of defect liability period.</p> <p>The submitted Security Deposit will not carry interest.</p> <p><b>Refer Clause 9 of Special Terms &amp; Conditions of Contracts (SCC) and Clause 7 (A) of Part B of Technical Bid for more Details.</b></p> <p><b>Note: EMD deposited by the L-1 bidder will be forfeited in case the bidder is accepted as L-1 and the L-1 bidder fails to deposit the ISD/SD or to execute the contract within the given timelines.</b></p> <p>All the works carried out by the Contractor shall be covered under defect liability period for a period of 12 (Twelve) months after completion of Part-I (1): Engineering, Procurement, Construction (EPC) of 1 MWp (AC) On-Grid Solar Power Project at IndianOil LPG Bottling Plant, Tikri Kalan, Delhi with Group Metering mapping with Indian Oil Bhawan, Northern Region Office at 1 Aurobindo Marg, Yusuf Sarai, New Delhi-110016.</p> <p>Security Deposit equivalent to 10% of the contract value of the component Part-II i.e. Comprehensive O&amp;M for 4 Years will be required to be submitted as per modes mentioned above before start of 4 years O&amp;M of the Solar Plant. This security deposit shall be released only after the DLP of 12 months from the completion of Comprehensive O&amp;M for 4 Years.</p>
14	<b>Number of contractors required</b>	One (Please refer evaluation criteria of the tender) as this tender is Non-Split tender.)
15	<b>GST (GOODS &amp; SERVICE TAX)</b>	<p>Rates of the items are excluding GST, which shall be paid separately as per contract.</p> <p>Contractor will be required to submit GST Compliant invoices with HSN (harmonized system of Nomenclature i.e. Excise classification)/SAC codes (Service Accounting Code) duly complying with the requirement of place of supply and other requisite details.</p> <p><b>Note:</b> For compliance of the statute, bidders are advised to refer GST law and Rules being framed there under from time to time.</p>
16	<b>PAYMENT TERMS</b>	Refer clause no. 14 of Special Terms & Conditions of Contracts (SCC) of the tender document.
17	<b>PRICE ADJUSTMENT TOWARDS DELAY IN COMPLETION OF WORK</b>	<p>In case the work is not completed within the prescribed period of completion, price adjustment shall be maximum of 10% of value of work actually executed, for details refer GCC clause no. 4.4.0.0 'PRICE ADJUSTMENT FOR DELAY IN COMPLETION'.</p> <p>Price adjustment for delay in completion shall be deducted at applicable percentage from RA Bills, on cumulative value of works done up to the concerned RA Bill. However, in case of abandonment of site/termination, price adjustment for delay shall be applied on total contract value as specified in Acceptance of tender.</p>
18	<b>UNDERTAKING RELATED TO INSOLVENCY &amp; BANKRUPTCY CODE, 2016</b>	APPLICABLE

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19	PRE QUALIFICATION-CRITERIA:	The Qualifying Parameters for the tender shall be as mentioned below. <b>Applicants not fulfilling following qualifying parameters need not apply.</b>
19.1	<b><u>SIMILAR WORK CRITERIA:</u></b>	
19.1.1	<b><u>DEFINITION OF SIMILAR WORKS:</u></b>  The bidder should have experience of successful completion of following similar work for Central Govt./ State Govt./ Public Sector/ MNCs/ Private Sector in India.  <b>"Similar Works" shall mean "Engineering, Procurement &amp; Construction (EPC) of minimum 500 KWP roof mounted/ground mounted/both On-Grid Solar Power Project with Net-Metering / Group Net Metering Facility in any industry.</b> <ul style="list-style-type: none"> <li>I. 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.</li> <li>II. Rate Contracts shall not be accepted against Similar Work Criteria, however individual POs issued under Rate Contracts will be considered. <ul style="list-style-type: none"> <li>a) If the bidder fails to submit documents pertaining to PQ Criteria along-with Bid, then the bid shall not be considered for evaluation.</li> <li>b) Ongoing contracts (i.e. not completed) shall not be considered, irrespective of the value of works completed up to the period mentioned in the tender.</li> <li>c) Similar works as mentioned above should be carried out by the standalone Bidder. Credentials of works executed by Group companies shall not be considered.</li> <li>d) Experience of Bidder as part of Consortiums/ MoU Parties shall not be accepted, even if a single involved partner/ party bids for the tender.</li> <li>e) JVs registered under the Indian Companies Act as on date of submission of bid are permitted. In such cases, all credentials submitted against PQ Criteria tender should be in the name of JV.</li> <li>f) For the same project finalized against one tender, if separate orders for supplies and services or variation order(s) or amendment order(s) are issued in continuation of the original purchase/work order(s), then the total value of works successfully completed, subsequent variation/ amendment order(s) put together shall be accepted as one single work completed.</li> </ul> </li> </ul>	
19.1.2	<b><u>SIMILAR WORKS EXPERIENCE:</u></b>  Work completed by the bidder, as main contractor, or as sub-contractor, during last seven years ending last day of month previous to the original date of bid submission end date.  Three similar completed works each costing not less than the amount (including Taxes) equal to <b>Rs. 1,80,81,000/-</b> <b>OR</b> Two similar completed works each costing not less than the amount (including Taxes) equal to <b>Rs. 2,41,08,000/-</b> <b>OR</b> One similar completed work costing not less than the amount (including Taxes) equal to <b>Rs. 3,01,35,000/-</b>	
19.1.3	Note: <ul style="list-style-type: none"> <li>A) The experience of the bidding entity only will be considered.</li> <li>B) A work executed by a bidder for its own plant/projects shall not be considered as experience for the purpose of meeting requirement of experience criteria of the tender. However, jobs executed for Subsidiary / Holding company will be considered as experience for the purpose of meeting experience criteria subject to submission of tax paid invoice(s) duly certified by Statutory auditor of the bidder towards payments of statutory tax in support of the job executed for Subsidiary /Holding company. Such bidders shall submit these documents in addition to the documents specified in the PQ Documents to meet Experience Criteria.</li> <li>C) For fulfilling the experience criteria against work order(s) following documents may be considered as valid proof for meeting the criteria <ul style="list-style-type: none"> <li>i) Purchase/ Work Order copy with Schedule of Rates/ Scope of Works and</li> <li>ii) Completion certificate by end client with executed value, date of completion of similar nature of work (As defined above) and reference work order number.</li> <li>iii) In case of works done as a sub-contractor, certificate as per clause no. 3.5.9. Apart from copy of purchase/work order with schedule of rates/scope of work from the main contractor, the bidder who</li> </ul> </li> </ul>	

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		<p>has worked as a sub-contractor has to submit certificate of completion of work from the end user / owner / main contractor / consultant of the owner acting as EIC. Whenever a contractor had worked as a sub-contractor to main contractor, their experience also can be considered. With regard to sub-contracted work order, the bidder has to submit a certificate from the end user / owner / consultant of the owner acting as EIC stating that the main contractor has intimated them about the engagement of sub-contracting OR have been allowed/ permitted as a subcontractor. The same condition is also to be included in the tender to avoid any ambiguity at a later date. In case when an approved sub-contractor and main contractor both participate in the same tender on the strength of the same work/job, orders submitted by both the vendors shall be considered for evaluation against PQC.</p> <p>iv) Any other documents as per roles and responsibility.</p> <p>The amount considered for meeting the experience criteria of PQC shall be inclusive of Tax. In case the proof/certificate submitted by the bidder does not have clarity regarding inclusion/exclusion of Tax, clarification shall be sought. Internal records/SAP may be checked for obtaining clarity regarding taxes in case of orders issued by IOCL. Even after seeking clarification, if there is ambiguity regarding the exclusion/ inclusion of tax, the amount appearing in the work order/completion certificate shall be considered as inclusive of Tax.</p> <p>D) Date of completion of work and the final executed value of works completed in the qualifying work order(s) shall be the criteria for evaluation.</p> <p>E) DOCUMENTS REQUIRED TO BE SUBMITTED AGAINST PROOF OF COMPLETION (FOR WORKS):</p> <ul style="list-style-type: none"> <li>i) The completion certificate to indicate Work Order number &amp; date, Description of works, date of completion &amp; final completed value of work.</li> <li>ii) 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. In case completion certificate / Bill / Invoice copy specifies details required like Date of PO/ contract agreement, Contract Value, Executed value, date of Completion, details of job executed, etc, then submission of contract document shall not be mandatory.</li> <li>iii) In case of work orders from Private Parties – Certificate from CA certifying value of work done with TDS certificates (wherever applicable) / bank Statement shall be required in addition to that specified in (ii) above. TDS certificates / Bank Statements shall be used as corroborative evidence only. However, Corporation has an obligation to maintain confidentiality of data which it possesses and use such documents for the purpose of tender only.</li> <li>iv) Against orders placed by IOCL, proof of completion may be established from internal records.</li> <li>v) In case the work orders submitted by the bidder is in multiple currency/ non-INR, the same shall be converted to equivalent INR considering the conversion rate as on the date of issue of the reference order(s) based on SBI TT selling rate or RBI/ Other scheduled bank/ Customs Notified exchange rate. Conversion rates from the above sources are to be used uniformly for evaluation of all bidders participating in the tender.</li> <li>vi) In case, the executed value of job is more than work order value and bidder claims for meeting the PQC requirement on the basis of executed value then it is the responsibility of the bidder to submit the documentary evidence of final executed value (such as executed value mentioned in completion certificate etc.) along with his bid.</li> <li>vii) In case where the bidder cites the reasons of Non-Disclosure Agreement (NDA) for its inability to submit necessary documents in support of meeting the experience criteria &amp; turnover criteria, a certificate, in original, certifying all the required information, issued by CEO/ CFO (howsoever designated) of the entity along with a declaration that the bidding company is not in a position to submit the required documents owing to the NDA with an endorsement by Chartered Accountant/ Statutory Auditor/ Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) may be accepted with approval of competent authority as per Table of Approval.</li> <li>viii) Wherever Chartered Accountant/ Statutory Auditor/ Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) is not in a position to endorse such CEO/ CFO's (howsoever designated) certificate due to local regulations, CEO/ CFO's (howsoever designated) certificate in original without endorsement may be accepted provided a reference of the local regulation restricting this endorsement is given in the CEO/ CFO (Howsoever designated) certificate with approval of competent authority</li> </ul> <p>F) Purchase preference to MSE enterprises shall not be applicable for this tender as this is a works contract.</p>

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		<p>G) If bidder has submitted a composite work order for evaluation and the AMC/CAMC /PWAMC/O&amp;M is going on, after supply and installation part is completed by the Contractor as per completion certificate, the same is to be considered as completed work and the amount towards supply and installation shall be considered for qualifying the bidder in PQC towards experience criteria.</p> <p>H) Being a Domestic Tender, bid from foreign bidders shall not be accepted.</p> <p>I) Bids from Consortium or MOU parties shall not be accepted.</p> <p>J) Relaxation to MSEs for PQ criteria shall not be applicable for this Tender as it being on Works Contract basis.</p> <p>K) Relaxation to Startups for PQ criteria shall not be applicable for this Tender.</p> <p>L) Offer from following bidders shall not be accepted: -</p> <ul style="list-style-type: none"> <li>i) Who are in the Holiday list of IOCL or its Administrative Ministry, MoPNG.</li> <li>ii) Who are under liquidation, court receivership or similar proceedings</li> <li>iii) Who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016.</li> <li>iv) Whose insolvency resolution process or liquidation or bankruptcy proceedings is initiated under the code at any stage of evaluation of the bid.</li> </ul> <p>M) Participation by consultant</p> <p>The Consultant appointed for the project/ job (EPCM) shall not be allowed to participate in the tender either directly or indirectly. An indirect participation shall include participation through an affiliate or as a sub-contractor, consultant or supplier. The expression 'affiliate' for the purpose of this clause will include any person, or company or association (howsoever designated) who/ which is a member of the consultancy firm (if the consultancy firm is a joint venture or consortium or who or which is directly or indirectly holds 10% (ten percent) or more of the capital or voting capital of consultant (if the consultant or any of its members is a company or a body corporate) or who or which is a consultant or sub-contractor of the consultant with regard to the project.</p>
19.2	<p><b><u>ANNUAL TURNOVER: -</u></b></p> <p>The annual turnover of the Tenderers during any of the preceding three financial years (i.e. FY 2022-23, 2023-24 &amp; 2024-25) should be at least <b>Rs. 3,61,62,000/-</b></p> <p><b><u>NOTE:</u></b></p> <p>A) <b>Definition of Turnover:</b> 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>B) Turnover for this purpose should be as per audited financial statements.</p> <p><b>For Indian bidder other than Companies:</b></p> <p>Audited Financial statements means below statements duly certified by Practising Chartered Accountant</p> <ul style="list-style-type: none"> <li>➤ Audited accounts under Income Tax Act 1961.</li> <li>➤ However, if the Bidder is not required to get its accounts audited under the income Tax Act, 1961, a certificate from "Practicing Chartered Accountant towards the turnover of the Bidder and same is corelated with Annual GST turnover" along with copy of its Income Tax Return or Acknowledgement copy shall be furnished along with UDIN no.</li> </ul> <p><b>For Indian Companies:</b> As defined under section 2(40) of Companies Act -2013.</p> <p>C) The reports issued by any Auditor / Chartered Accountant shall mandatorily bear UDIN (Unique Document Identification Number) for such reports of FY 2019-20 onwards.</p> <p>D) 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 (i.e. complete copy of ITR report downloaded from income tax portal) should be obtained.</p> <p>E) 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>F) Audited Balance Sheet / Published accounts on a calendar year basis shall also be acceptable. The balance sheet copy MUST bear the Registration Number of the authorized Chartered Accountant and its SEAL. This is not applicable for published annual reports.</p>	

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	<p>G) In case of tenders having original bid closing date up to 6 months from the current financial year, and, in case audited financial results of the immediate three preceding financial years are not available, the bidder has an option to submit the audited financial results of the three years immediately prior to preceding financial year. Wherever the closing date of the bid is after 6 months from the current financial year, bidder has to submit the audited financial results for the immediate three preceding financial years. The immediately preceding financial year shall be considered, accordingly. The audited financial results shall be certified by an auditor on or before the date of bid submission.</p> <p>H) Published Annual report available in the public domain shall also be acceptable.</p>																	
19.3	<p><b>Note:</b></p> <p>(a). Notwithstanding any other condition / provision in the tender documents, bidders are required to submit complete documents pertaining to Pre-Qualification Criteria (PQC) along with their offer. IOCL reserves the right to complete the evaluation, with or without seeking any additional supporting documents/clarification.</p> <p>(b). 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.</p> <p>(c). Acceptance of PQC documents of related / unrelated parties shall be as follows:</p>	<table border="1" data-bbox="255 833 1414 1619"> <thead> <tr> <th data-bbox="255 833 335 907">SN.</th><th data-bbox="335 833 684 907">SCENARIO</th><th data-bbox="684 833 1049 907">FINANCIAL CRITERIA</th><th data-bbox="1049 833 1414 907">TECHNO-COMMERCIAL EXPERIENCE CRITERIA</th></tr> </thead> <tbody> <tr> <td data-bbox="255 907 335 1035">1</td><td data-bbox="335 907 684 1035">A New Entity formed as a result of merger of two entities and the earlier entity cease to exist</td><td data-bbox="684 907 1049 1035">New Entity can use previous financial credentials of any of the merged companies till 7 years from the date of such merger or of its own.</td><td data-bbox="1049 907 1414 1035">New Entity can use previous experience of any of the merged companies till 7 years from the date of such merger or of its own.</td></tr> <tr> <td data-bbox="255 1035 335 1253">2</td><td data-bbox="335 1035 684 1253"> <p>(i) An entity (A) takes over another entity (B) and B ceases to exist.</p> <p>(ii) An entity (A) takes over another entity (B) partially and the said part of entity (B) vertical specific business vertical of B ceases to exist.</p> </td><td data-bbox="684 1035 1049 1253"> <p>(i) Bidder can use previous financial credentials of company taken over by bidder or of its own.</p> <p>(ii) Bidder cannot use previous financial credentials of specific business vertical of company taken over by bidder.</p> </td><td data-bbox="1049 1035 1414 1253"> <p>(i) Bidder can use previous experience of company taken over by bidder.</p> <p>(ii) Bidder can use previous experience of the business vertical which has been taken over by bidder (not entire experience of entity B).</p> </td></tr> <tr> <td data-bbox="255 1253 335 1619">3</td><td data-bbox="335 1253 684 1619">A new entity formed has taken over all the assets and liabilities of the proprietorship concern or partnership firm wherein one or more of the Directors of the new entity were the proprietor or partners and the erstwhile proprietorship concern/partnership firm has ceased doing business after taking over of the business by the new entity.</td><td data-bbox="684 1253 1049 1619">The new entity can use the financial credentials of the erstwhile proprietorship concern/partnership firm.</td><td data-bbox="1049 1253 1414 1619">The new entity can use the experience of the erstwhile proprietorship concern/partnership firm.</td></tr> </tbody> </table>	SN.	SCENARIO	FINANCIAL CRITERIA	TECHNO-COMMERCIAL EXPERIENCE CRITERIA	1	A New Entity formed as a result of merger of two entities and the earlier entity cease to exist	New Entity can use previous financial credentials of any of the merged companies till 7 years from the date of such merger or of its own.	New Entity can use previous experience of any of the merged companies till 7 years from the date of such merger or of its own.	2	<p>(i) An entity (A) takes over another entity (B) and B ceases to exist.</p> <p>(ii) An entity (A) takes over another entity (B) partially and the said part of entity (B) vertical specific business vertical of B ceases to exist.</p>	<p>(i) Bidder can use previous financial credentials of company taken over by bidder or of its own.</p> <p>(ii) Bidder cannot use previous financial credentials of specific business vertical of company taken over by bidder.</p>	<p>(i) Bidder can use previous experience of company taken over by bidder.</p> <p>(ii) Bidder can use previous experience of the business vertical which has been taken over by bidder (not entire experience of entity B).</p>	3	A new entity formed has taken over all the assets and liabilities of the proprietorship concern or partnership firm wherein one or more of the Directors of the new entity were the proprietor or partners and the erstwhile proprietorship concern/partnership firm has ceased doing business after taking over of the business by the new entity.	The new entity can use the financial credentials of the erstwhile proprietorship concern/partnership firm.	The new entity can use the experience of the erstwhile proprietorship concern/partnership firm.
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20	<p><b>Other Commercial Criteria: Following criteria shall also be considered for commercial evaluation:</b>  <span style="color: red;">(In case bidder does not submit these documents as mentioned below, then the bid shall be liable for rejection.)</span></p>	<table border="1" data-bbox="255 1731 1414 2001"> <thead> <tr> <th data-bbox="255 1731 335 1783">S N</th><th data-bbox="335 1731 747 1783">Type of Documents</th><th data-bbox="747 1731 1432 1783">Documents to be Submitted</th></tr> </thead> <tbody> <tr> <td data-bbox="255 1783 335 1821">i.</td><td data-bbox="335 1783 747 1821">PAN</td><td data-bbox="747 1783 1432 1821">Scanned copy to be submitted.</td></tr> <tr> <td data-bbox="255 1821 335 1882">ii.</td><td data-bbox="335 1821 747 1882">GST Registration Certificate (GSTIN no.)</td><td data-bbox="747 1821 1432 1882">The party should submit valid GSTIN number and GSTIN registration certificate shall be uploaded.</td></tr> <tr> <td data-bbox="255 1882 335 1942">iii.</td><td data-bbox="335 1882 747 1942">PF Registration Certificate</td><td data-bbox="747 1882 1432 1942">Scan copy of Valid PF registration no. copy to be submitted.</td></tr> <tr> <td data-bbox="255 1942 335 2001">iv.</td><td data-bbox="335 1942 747 2001">ESI Registration certificate</td><td data-bbox="747 1942 1432 2001">Scan copy of Valid ESI registration no. copy to be submitted</td></tr> </tbody> </table>	S N	Type of Documents	Documents to be Submitted	i.	PAN	Scanned copy to be submitted.	ii.	GST Registration Certificate (GSTIN no.)	The party should submit valid GSTIN number and GSTIN registration certificate shall be uploaded.	iii.	PF Registration Certificate	Scan copy of Valid PF registration no. copy to be submitted.	iv.	ESI Registration certificate	Scan copy of Valid ESI registration no. copy to be submitted	
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	v. Partnership Deed or Certificate of Incorporation with Memorandum & articles of Association	In case Bidder is: (i) Proprietary Firm – Self attested Declaration / Undertaking for Sole Proprietorship on Letter. (ii) Partnership Firm – Copy of Partnership Deed. (iii) Pvt. Ltd. / Public Ltd. Company - Certificate of Incorporation and Article of Association.
	vi. Power of Attorney (POA) (on non-judicial stamp paper of appropriate value duly notarized) /Board Resolution in favour of tender signing Authority	<p>Authority of the person uploading the Bid shall be required to be submitted along with the bid. Documents required showing authority of the person uploading the bid shall be as per following:</p> <ul style="list-style-type: none"> <li>• 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 authorizing the person to be submitted on behalf of the concern.</li> </ul> </li> <li>• In case of Company: <ul style="list-style-type: none"> <li>- Certified copy of Board Resolution authorizing the person submitting the bid on behalf of the company.</li> </ul> </li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>- POA and supporting Board Resolution authorizing the person submitting the bid on behalf of the company.</li> <li>• In case of Partnership Firm: <ul style="list-style-type: none"> <li>- POA along with deed of the partnership</li> </ul> </li> <li>• In case of Co-operative Society: <ul style="list-style-type: none"> <li>- Copy of resolution passed as per society rules.</li> </ul> </li> </ul> <p>Note: POA wherever specified above shall be submitted on non-judicial stamp paper of appropriate value duly notarized)</p>
	vii. ACCEPTANCE OF ALL TERMS & CONDITIONS OF TENDERER	As per format given at (Annexure-A) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	viii. DECLARATION ON NCLT/NCLAT/DRT/DRAT/COURT RECEIVERSHIP/LIQUIDATION	As per format given at (Annexure-B) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	ix. CERTIFICATE FOR BIDDERS FROM A COUNTRY WHICH SHARES A LAND BORDER WITH INDIA	As per format given at (Annexure-C) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	x. UNDERTAKINGS AND DECLARATIONS FOR NON-TAMPERING OF DATA	As per format given at (Annexure-D) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	xi. DECLARATION OF BLACKLISTING / HOLIDAY LISTING	As per format given at (Annexure-E) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	xii. DECLARATION "A", "B", "C" & "D"	As per format given at (Annexure-F) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	xiii. UNDERTAKING FOR BUSINESS TRANSACTION STATUS OF BIDDERS	As per format given at (Annexure-G) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	xiv. PARTICULARS OF BIDDER	As per format given at (Annexure-H) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	xv. UNDERTAKING ON NO MULTIPLE BIDDING	As per format given at (Annexure-I) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file
	xvi. Declaration and undertaking on purchase preference (PP-MII) policy	As per format given at Annexure- J, Part-I & Part-II) of PART-B of Tech Bid OR To be submitted as per format given in attached Excel file

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	xvii. <b>Site Visit Declaration Form</b>	As per format given in Annexure – 1 of PART A of Technical bid. (Date of site visit shall be prior to bid submission end date)
21	<b>ESCALATION / DE-ESCALATION</b>	There is no Escalation / de-escalation in the rates. Once the work order is placed the rates shall remain firm till completion of entire work in all respects.
22	<b>GOVERNMENT/ STATUTORY POLICIES SUCH AS MSE, PPP-MII, DMEP, ETC. AS APPLICABLE</b>	<p><b>Purchase preference to MSE enterprises shall not be applicable for this tender as this is a works contract.</b></p> <p>The benefits to PP-MII bidders shall be extended as per 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.</p> <p>Bidder is to go through "modality regarding evaluation of preferential bidders" mentioned in Instructions to bidders and evaluation criteria.</p>
23	<b>CATEGORY OF BIDDING ENTITIES</b>	<p><b>Individual (Proprietary) / Partnership / Limited Company / Entity registered or incorporated under any statutory law in India (called Sole Bidder) / Incorporated Joint Venture/ Wholly owned subsidiary</b></p> <p>are allowed to participate as per details mentioned in PRE-QUALIFICATION CRITERION</p>
24	<b>RIGHT OF OWNER TO ACCEPT OR REJECT TENDERS</b>	<p>a) Tender process can be abandoned without assigning any reason thereof. No compensation shall be paid for the efforts made by the bidder.</p> <p>b) IOCL has the right to reject any or all of the tenders or any part of a tender so received, and no compensation shall be paid for the efforts made by the bidder. Reasons for rejection shall be disclosed on written representation by the concerned bidder whose bid is rejected.</p> <p>c) No bidder shall contact the OWNER on any matter relating to its bid from the time of the bid opening up to the time that the contract is awarded. Any effort by a Bidder or Bidder's agent, consultant or representative, howsoever described to influence the OWNER in any way concerning scrutiny, consideration, evaluation or computation of the Bid(s) or decision concerning award of contract shall entail rejection of Bid.</p> <p>d) Although, ordinarily the lowest responsive bid amongst the bids submitted by bidders and considered by the OWNER as qualified and competent, shall be preferred, the OWNER reserves the right not to accept the lowest bid if, in its opinion, this would not be in interest of the works.</p>
25	<b>INVALID BIDS/ BIDS LIABLE FOR REJECTION</b>	<p><b>Bid is invalid and shall be rejected in the following circumstances:</b></p> <ul style="list-style-type: none"> <li>(i) Does not fulfil minimum qualification criteria prescribed in the tender documents.</li> <li>(ii) In case the bidder misrepresents facts or submits, forged, false or fabricated document.</li> <li>(iii) Bidder is holiday listed as per prevailing holiday listing guidelines.</li> <li>(iv) If insolvency resolution process has commenced (viz. application has been admitted by Adjudicating Authority and moratorium has been imposed and IRP has been appointed) or liquidation or bankruptcy proceedings have commenced in respect of bidder in terms of Insolvency and Bankruptcy Code, 2016 or any other applicable law (in cases where code is not applicable) at any stage of evaluation of bid.</li> </ul> <p><b>Bid is also liable for rejection if the bidder:</b></p> <ul style="list-style-type: none"> <li>(i) If the Earnest Money Deposit is not uploaded before closing date and time of tender.</li> <li>(ii) Stipulates the validity period of the bids lesser to what is stated in the tender document.</li> <li>(iii) Stipulates his own conditions and refuse to withdraw them.</li> <li>(iv) Does not disclose the full names and addresses of all his partners in the case of a partnership concern.</li> <li>(v) Does not fill in and sign the tender acceptance formats as specified in the tender.</li> <li>(vi) Does not have his PF Code/ number from the Regional Provident Fund Commissioner. However, PSUs / organizations having their own PF trust / Govt. PF are considered 'At Par' with the bidders registered with the PF</li> </ul>

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		<p>authorities, the necessary documentary evidence shall be submitted along with the bid.</p> <p>(vii) If the bids are partly quoted</p> <p>(viii) If the bids contain unacceptable terms and conditions.</p> <p>(ix) Any discrepancy done with the BOQ uploaded on the e-tender portal.</p> <p><b>(x) Offer from following types of bidders will not be accepted</b></p> <p>(a) Who are under liquidation, court receivership or similar proceedings.</p> <p>(b) Whose insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the Code or any other applicable law (in case where Code is not applicable) at any stage of evaluation of the bid. In case where the bid of the L-1 bidder is rejected on the aforesaid grounds during the period between price-bid-opening and award-of contract, then the bid of the next eligible bidder will be considered for further processing.</p> <p>(c) Consultant or their subsidiary company or companies under the management of consultant for execution of the same project for which they are working as consultant.</p> <p>(d) Foreign bidders participating in domestic /national tender.</p> <p>(e) Offer from joint bidders / consortium, unless specifically permitted in the tender for such bidding.</p> <p>Un-priced Bid" should not contain any prices or indication thereof. However, in case a bidder mentions the prices in the un-price bid, the bid shall still be considered as valid bid, but the incidence shall be highlighted in the Price Bid Opening and Order placement proposal.</p>
26	<b>BIDDER'S RIGHT TO QUESTION REJECTION</b>	<p>Any representation regarding rejection of Bid has to be sent to tender inviting authority within 24 / 48 hrs. (or the allowed time in the portal) of freezing of evaluation on e-portal. Only a directly affected bidder can represent in this regard.</p> <p>Only a bidder who has participated in the concerned procurement process i.e. prequalification, bidder enlistment or bidding, as the case may be, can make such representation.</p> <p>Following decisions of the procuring entity in accordance with the provision of internal guidelines shall not be subject to review:</p> <ul style="list-style-type: none"> <li>(i) Determination of the need for procurement;</li> <li>(ii) Selection of the mode of procurement or bidding system;</li> <li>(iii) Choice of selection procedure;</li> <li>(iv) Provisions limiting participation of bidders in the procurement process;</li> <li>(v) The decision to enter into negotiations with the L1 bidder;</li> <li>(vi) Cancellation of the procurement process except where it is intended to subsequently retender the same requirements;</li> <li>(vii) Issues related to ambiguity in contract terms may not be taken up after a contract has been signed, all such issues should be highlighted before consummation of the contract by the vendor/ contractor; and</li> <li>(viii) Complaints against specifications except under the premise that they are either vague or too specific so as to limit competition may be permissible.</li> </ul>
27	<b>MANNER IN WHICH THE OFFER IS TO BE SUBMITTED</b>	<ul style="list-style-type: none"> <li>a) This is an e-tender. The bidder is required to participate in the tender through e-tender portal, the detail guideline/procedure is given therein.</li> <li>b) Bidders should submit their bids as per the format attached with the tender duly filled in and digitally signed. Wherever required, the same shall be submitted on their letterhead. If any other communication or terms and conditions are being attached by the bidder in the tender document, the same shall also be on bidder's letterhead.</li> <li>c) The bidder shall upload the legible scanned copies of the qualification documents within the period of bid submission. The price bid shall also be submitted online only. The price offered by the bidder shall not appear anywhere in any manner in the Technical Bid.</li> </ul>
28	<b>HOLIDAY LISTING GUIDELINES</b>	<p>The bidder can be put on Holiday list in line with the guidelines laid down for Holiday listing.</p> <p>The Blacklisting / Holiday Listing / Debarment / Banning policy of Indian Oil Corporation Limited can be accessed from any of the following portals:</p> <p>a) <a href="http://www.iocl.com">www.iocl.com</a> from the link <a href="https://iocl.com/uploads/holiday2023.pdf">https://iocl.com/uploads/holiday2023.pdf</a></p>

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		b) Indian Oil e-tenders website ( <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a> ) under the "Announcement" Section
29	<b>NEGOTIATIONS</b>	Negotiations will not be conducted with the bidders as a matter of routine. However, Corporation reserves the right to conduct negotiations". Negotiations if required, will be held with the lowest bidder/ deemed lowest bidder only.
30	<b>INTEGRITY PACT PROGRAM (IP)</b>	Not applicable
31	<b>BUSINESS TRANSACTION STATUS &amp; INSOLVENCY CLAUSE:</b>	<p><b>BIDDERS UNDER INSOLVENCY OR LIQUIDATION OR BANKRUPTCY PROCEEDINGS UNDER INSOLVENCY AND BANKRUPTCY CODE, 2016</b></p> <p>Tenders who have transferred their ownership rights either in whole or in part to another entity or under process of transfer shall intimate the same to IOCL in their letter head while submitting the bid. IOCL reserves its right to reject the tender of any entity, which has transferred its ownership rights in whole or in part or which is in process of transfer without assigning any reason for such rejection.</p> <p>If the tenderer refuses or fails to share the information regarding their status of any kind of business transfer process/restructuring etc. in their tender or at any later stage, as applicable, their tender is liable to be rejected by IOCL and without prejudice to any other remedy or action available with IOCL, IOCL shall forfeit the Earnest Money Deposit provided by the tenderer, in any form whatsoever.</p> <p><b>Offers from the following type of bidders shall not be considered:</b></p> <p>If the bidder is undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016 (Code) or any other applicable law (in cases where code is not applicable).</p> <p>Insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the Code or any other applicable law (in cases where code is not applicable) against/by the bidder at any stage of evaluation of the bid.</p> <p>In the event, insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the Code or any other applicable law (in cases where code is not applicable) against/by the bidder, after submission of its bid but at any stage of evaluation of the bid, it will be the responsibility of the bidder to inform IOCL within 15 days from the date of order of insolvency resolution process or liquidation or bankruptcy proceeding passed by the Adjudicating Authority namely, National Company Law Tribunal (NCLT) or Debt Recovery Tribunal (DRT) under the Code or any other applicable law (in cases where code is not applicable).</p> <p>If bidder refuses or fails to share the information regarding their status of insolvency resolution process or liquidation or bankruptcy proceeding as sought hereinabove, in their bid or at any later stage, as applicable, their offer is liable to be rejected by IOCL and without prejudice to any other remedy or action available with IOCL, IOCL shall forfeit the Earnest Money Deposit provided by the bidder, in any form whatsoever.</p> <p>IOCL reserves the right to cancel/terminate the contract without any liability on the part of IOCL immediately on the commencement of insolvency resolution process or liquidation or bankruptcy proceeding of any party under the contract.</p> <p>In case where the bid of the L-1 bidder is rejected on the aforesaid grounds during the period between Price-Bid-Opening and Award of Contract, then the bid of the next higher eligible bidder will be considered for further processing.</p> <p>If bidder fails to share or misrepresents the information regarding their status of insolvency resolution process or liquidation or bankruptcy proceeding as sought hereinabove and the bidder's bid results in a contract, IOCL, without prejudice to any other any other remedy or action available with IOCL, shall be within its rights to terminate the resultant contract.</p> <p>An Undertaking shall be submitted by the bidder in the attached format along with the techno-commercial bid. <b>(As per Annexure-B) of PART-B</b></p>
32		<b>CLAUSE WITH RESPECT TO COUNTRIES WITH LAND BORDER WITH INDIA</b>
		Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. Copy of the registration certificate is to be submitted along with the bid.
		The Competent Authority for the purpose of registration shall be the Registration Committee constituted by the Department for Promotion of Industry and Internal Trade (DPIIT).

SN	PARTICULARS	DETAILS
		<p>Registration should be valid at the time of submission of bids and at the time of acceptance of bids. If the bidder was validly registered at the time of acceptance/ placement of order, registration shall not be a relevant consideration during contract execution.</p> <p>However, the bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in developing Central projects may participate in this tender and they shall not require any separate registration for the participation.</p> <p>"Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in this tender.</p> <p>Bidder from a country which shares a land border with India for the purpose of this Order means</p> <p>Any entity incorporated, established or registered in such a country; or</p> <p>A subsidiary of an entity incorporated, established or registered in such a country; or</p> <p>An entity substantially controlled through entities incorporated, established or registered in such a country; or</p> <p>An entity whose "beneficial owner" is situated in such a country; or</p> <p>An Indian (or other) agent of such an entity; or</p> <p>A natural person who is a citizen of such a country; or</p> <p>A consortium or joint venture where any member of the consortium or joint venture falls under any of the above.</p> <p>"Beneficial Owner" in the above paragraph will be as under:</p> <p>In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person(s), has a controlling ownership interest or who exercises control through other means</p> <p>Explanation –</p> <p>"Controlling ownership interest" means ownership of, or entitlement to, more than twenty five percent of shares or capital or profits of the company.</p> <p>"Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements.</p> <p>In case of partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership.</p> <p>In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals.</p> <p>Where no natural person is identified under (i) or (ii) or (iii) above, the beneficial owner is the relevant natural person who holds the position of senior managing official.</p> <p>In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.</p> <p>"Agent" is a person employed to do any act for another, or to represent another in dealings with third persons. The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.</p> <p>Bidders shall submit a certificate as per the Annexure- regarding their compliance to the above conditions. If such certificate given by a bidder whose bid is accepted is found to be false, this would be a ground for immediate termination and further legal action in accordance with law.</p>
33	<p><b>ORIGINAL DOCUMENTS VERIFICATION</b></p> <p>Verification of authenticity of experience PQC documents shall be done for successful bidder(s) as under:</p> <p>INDIAN OIL CORPORATION LIMITED (Marketing Division) MATERIALS &amp; CONTRACT DEPARTMENT, 3rd Floor, NORTHEN REGION OFFICE, 1, SRI AUROBINDO MARG,</p>	

SN	PARTICULARS	DETAILS
	<p>YUSUF SARAI, NEW DELHI-110016</p> <p>Document verification with Originals shall be carried out only for the successful bidder(s) within 7 (Seven) working days from the date of opening of price bids or as advised by IOCL.</p> <p><i>End Client verification means the end client which has issued the order and certificate of completion / execution or any such certificate informing execution per requirement. In case a sub-contractor is involved who has issued completion certificate, verification shall also be done from the end client.</i></p> <p>Submission of authentic documents is the sole responsibility of the bidder. However, IOCL reserves the right to verify the PQC documents submitted by the bidder(s). For the purpose of verification, bidders shall submit complete client details with names, address, phone numbers and e-mail id with the understanding that IOCL may contact the bidder's client to verify the PQC documents. Wherever required, bidders may have to submit notarized / verified copy of PQC documents. Non submission of these documents, if asked for, will lead to rejection of offer. If at any stage, the PQC documents are found to be forged / false / fake, suitable penal action shall be taken, which may include offer rejection, EMD forfeiture, termination of order (wherever applicable) and holiday listing of the bidder / vendor.</p>	

Indian Oil Corporation Ltd, Reginal Contract Cell (RCC), Northern Region invites electronic bids through its website <https://iocletenders.nic.in> under two bid system, (Part-I : Techno-Commercial Part & Part-II : Price Part) for the subject work, from experienced Contractors fulfilling the qualifying requirements stated hereunder:

Brief Details of Tender:

34	<p><b>OTHER POINTS:</b></p> <p>a) Each tenderer can submit only one bid.</p> <p>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. (Annexure-I)</p> <ul style="list-style-type: none"> <li>i) A person shall for this purpose mean an individual, proprietor, any partner, association of persons, affiliate and company.</li> <li>ii) A company shall for this purpose include any artificial person whether constituted under the laws of Indian or of any other country.</li> <li>iii) 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.</li> <li>iv) 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.</li> <li>v) 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.</li> </ul> <p>b) <b>Suo moto reduction in prices</b></p>							
	<table border="1"> <thead> <tr> <th>Stage</th><th>Price Increase</th><th>Price Decrease</th></tr> </thead> <tbody> <tr> <td>After opening of un-priced bid</td><td> <p>Not acceptable. Bids shall be summarily rejected.</p> <p>Action regarding holiday listing may be taken. EMD shall be forfeited.</p> </td><td> <p>Tender evaluation shall be done without considering suo moto price decrease.</p> <p>Ordering shall be done considering suo moto price decrease.</p> </td></tr> </tbody> </table>	Stage	Price Increase	Price Decrease	After opening of un-priced bid	<p>Not acceptable. Bids shall be summarily rejected.</p> <p>Action regarding holiday listing may be taken. EMD shall be forfeited.</p>	<p>Tender evaluation shall be done without considering suo moto price decrease.</p> <p>Ordering shall be done considering suo moto price decrease.</p>	
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- c) 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.
- d) Bids from Consortium or MOU parties shall not be accepted.
- e) The tenders will be liable for rejection if requisite EMD is not submitted/ as per e-tendering portal as mentioned in NIT.
- f) The bid of the party will also be rejected on the following grounds:
  - i) Tenderer not meeting tender qualifying parameter norms specified / not submitting prequalifying and other commercial criteria documents as per NIT.
  - ii) Non-withdrawal of conditions imposed in tender document & conditions imposed during negotiations.
  - iii) Tenderer submitting fabricated/ false/ forged documents for the tender.
  - iv) Tenderer put on holiday list during the pendency of this tender.
- g) Tenderers to please carefully note the above schedule for Pre-Bid Conference since all the clarifications, if any, with regard to Technical/ Commercial conditions shall be given therein. Tenderers are advised to ensure that their queries must reach by e-mail addressed to the Contact person as specified in NIT at least two working days in advance for this purpose. Tenderers may also note that after the clarifications are given against the points discussed in Pre-Bid conference, no further deviation shall be permitted and such clarifications shall be binding on all bidders. All are requested to attend the Pre Bid conference.
- h) Any Addendum/ Corrigendum/ Sale Date Extension in respect of the tender shall be issued on our website <https://iocletenders.nic.in> only & no separate notification shall be issued in the press. Bidders are therefore requested to regularly visit our website to keep themselves updated.
- i) All bidders must login and visit their DASHBOARD on regular basis to get the timely updates related to any communication sent in the form of e-mail/SMS by system
- j) Legal dispute, if any, arising during the evaluation of the tender shall be within the jurisdiction of local courts.
  - i) For disputes up to stage of LOA – New Delhi
  - ii) For disputes during execution stage –New Delhi
- k) IOCL's decision on all matters pertaining to this tender is final and binding for all bidders.
- l) Please visit our website <https://iocletenders.nic.in> for further details of this tender.
- m) Bidders may note that the following are attached separately and uploaded in the e-tendering portal:
  - i) Special Instructions to bidders for participating in e-tendering
  - ii) FAQ's –online EMD facility in IOCL e-tendering and
  - iii) Format for Acceptance of Tender Terms and Conditions.
- n) In case of irreconcilable conflict in technical matters between the provisions in the separate contract documents concerning or governing the same aspect precedence shall be given to the provisions contained in the documents mentioned below in the order in which they are set out below:
  - Formal contract
  - Acceptance of tender
  - Minutes of Pre-Bid meeting
  - Agreed variations annexed to the letter of acceptance.
  - Addenda to tender documents
  - Special terms and conditions of contract
  - Special instructions to tenderers
  - General conditions of contract
  - Instructions to tenderers

Any variation or amendment issued after the execution of the formal contract shall take precedence over the formal contract and all other Contract Documents.

**Note:**

1. Preferential Bidding Module has been developed in IOCL e-Tendering Portal to facilitate preferential bidding and evaluation of the bidders as per their respective preference category in line with the existing

	<p>provisions in the government policies and guidelines.</p> <p>2. Bidders participating in the tender must submit requisite documents to support their claim to benefits under any of the preference categories mentioned above.</p> <p><b>Bidder is to go through "modality regarding evaluation of preferential bidders" mentioned in Instructions to bidders</b></p>
<b>Others</b>	
	<p><b>A)</b> Beware of Fake Communications--- IOCL officials never ask for any financial transaction other than as mentioned in NIT or Tender document. Any communication like Call SMS Email etc. can be made by fraudster. Please do not act on such communication.</p> <p><b>B)</b> Physical Bids will not be accepted. Tender Documents can be downloaded from the website <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a> and online bids are required to be submitted with Digital signatures on the system. All help files are available at <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a> website. However, tender issuing authority is not responsible for the delay / non-downloading of tender document by the recipient due to any problem in accessing the e-tender website. The tender issuing authority is also not responsible for delay in uploading bids due to any problem in the e-tender website.</p> <p><b>C)</b> Bidders are required to go through the NIT and tender document carefully and submit the required documents in favor of their credentials and other requirements along with their offer as per instruction given in the Tender.</p> <p><b>D)</b> The bidders must ensure that their offers are submitted electronically in time.</p> <p><b>E)</b> Conditional offers are liable for rejection. Offer shall be evaluated with respect to bid qualification criteria to determine the techno-commercially qualified bidders. Offers of unqualified bidders is liable for rejection.</p> <p><b>F)</b> IOCL reserves the right to accept/reject any or all bids or to split the work amongst various contractors or to award only part of the work or annul the total bid process without assigning any reason whatsoever. No compensation is paid for the efforts made by the contractor in case tendering process is abandoned by IOCL.</p> <p><b>G)</b> Prevailing Government guidelines regarding Purchase Preference shall be applicable.</p> <p><b>H)</b> This tender is Not-Split tender.</p> <p><b>I)</b> Provisions/Conditions stipulated in NIT supersedes all of the sections of Tender document</p>
<b>CONTACT PERSON (Tender Stage):</b>	<p>Santosh Kumar Senior Manager (Materials &amp; Contracts) Indian Oil Corporation Limited 3rd Floor Indian Oil Bhavan, Northern Region Office 1 SriAurobindo Marg, Yusuf Sarai New Delhi 110016 Ph. no: 011-26518080, etxn: 2348 email id: <a href="mailto:kumarsantosh3@indianoil.in">kumarsantosh3@indianoil.in</a></p>
<b>CONTACT PERSON (Execution Stage):</b>	<p>Sumit Awal Manager (ES) Indian Oil Corporation Limited 3rd Floor Indian Oil Bhavan, Northern Region Office 1 SriAurobindo Marg, Yusuf Sarai New Delhi 110016 e-Mail ID: <a href="mailto:awals@indainoil.in">awals@indainoil.in</a> Mob: 9958782813</p>

### **35.0 PRICE BID**

- 35.1 Tenderers are required to quote their Percentage rate {(+)} OR {(-)} given in the relevant columns in the Price Bid in Figures only. In case the bidder wants to quote the rate AT PAR of our estimated cost, the bidder shall select the relevant option in BoQ.
- 35.2 The finalized rate in % (percentage) shall be applicable equally on all items of schedule of rates provided.
- 35.3 The bidder shall calculate his final evaluated price as per BoQ in the tender document and quote accordingly. After quoting the prices by the tenderer, the final quoted value will automatically get generated in the price bid both in the figures & words. Hence, all tenderer is required to quote strictly as per the format attached.
- 35.4 The selection of bidder will be based on lowest acceptable delivered prices for all items in the price schedule put together. Delivered price = (Basic Amount + GST) with Input tax credit as available to IOCL (Full/Part/ Nil- As applicable and mentioned in BoQ).

### **36.0 TENDER EVALUATION CRITERIA:**

The procedure for evaluation of tenders shall be as follows:

- 36.1 Only the Technical Bid, of those parties uploading their tenders before due date and time of submission, shall be considered for opening.
- 36.2 The techno- commercial bid shall be scrutinized and evaluated based on PQC, Other Mandatory Documents, mentioned above in NIT 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.
- 36.3 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.
- 36.4 Bidders are informed that Reverse Auction will be conducted for finalizing this Tender. **Reverse Auction shall be carried out on the NET LANDED COST** i.e. (Basic Cost + GST quoted – ITC)
- 36.5 Net Delivered Price (inclusive of GST) = Quoted Price (including GST) minus Input Tax Credit (ITC) as available to IOCL
- 36.6 ITC available to IOCL for each item is indicated in the respective line item of BoQ i.e. Price bid.

Item Description	
Estimated Sub Total (all inclusive) including GST (Rs.)	E
Sum Total of derived GST Amount based on item wise GST rate indicated by the bidder (Rs.)	G
Input Tax Credit as derived for evaluation purpose (Rs.) if any.	ITC = X% of G
Bid Amount for Evaluation purpose (Rs.)	BA = E – ITC (If any)

- 36.7 Class-I Local Supplier, in line with guidelines issued to provide Purchase Preference (linked with Local Content) (PP-LC) in all Public Sector Undertakings under the MOP&NG (Ref: No. FP-20013/2/2017-FP-PNG dated 17.11.2020) & Amended Policy Ref. No. FP-20013/2/2017-FP-PNG-Part (1) (E-36682) dated 23.02.2022& Latest Revisions as applicable , shall be the preferential category of bidder for the purpose of Reverse Auction.
- 36.8 Qualifying Criteria for Reverse Auction: (**Detailed Procedure for Reverse Auction is as per Section -3 of Tender Document Part-B**)
  - If there are more than three (3) techno-commercially acceptable bidders:
    - a) Bidder having highest quote (H1 bidder) will be rejected if he is a non-preferential bidder.
    - b) In case if H1 bidder is a preferential bidder, H1 bidder will be rejected if his quote is beyond 20% of L1 price as per the bidder's preferential category.
    - c) 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 as per provisions mentioned above.
    - d) An intimation by mail / SMS shall be provided to the eligible bidders for Reverse Auction.
- 36.9 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 & 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 & Conditions.
- 36.10 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.
- 36.11 The lowest quote after end of Reverse Auction shall be considered for further processing.
- 36.12 Party who has quoted the lowest rate (L1rate) 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.
- 36.13 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, along with

audited balance sheet and profit loss statement for last 3 financial years closing on 31.03.2025 i.e. FY 2022-23,2023-24 and 2024-25 (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 above, shall be considered as L-1 bidder.

- 36.14 In the event of bidder submitting turnover documents for only one or two years, L-1 shall be decided on the basis of turnovers submitted.
- 36.15 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.
- 36.16 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.
- 36.17 In case a bidder is put on holiday / Blacklisted 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.
- 36.18 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.
- 36.19 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).
- 36.20 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.
- 36.21 In the event of failure of such bidder(s) to get the documents verified the EMD of the bidder(s) shall be forfeited. 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 forfeiture of EMD.
- 36.22 The subject works being a Work Contracts & Indivisible in nature and hence purchase preference to MSE bidder is not applicable.
- 36.23 Purchase Preference-Make in India (Linked with Local Content): Purchase preference as per PP-MII order 2017 (Including amendments) shall be applicable on this tender as per following modalities:
- 36.24 Preferential bidding guidelines: To avail preferential treatment (Purchase Preference for Local Content) as per the above-mentioned guideline, the Bidder claiming preference shall update necessary details in their profile in "My Account Menu" of e-tender portal. Bidder shall select "Yes" in response to "Avail Preferential Bidder' option, else, such Bids bid shall not be considered for preferential benefits.
- 36.25 The classification & Margin of Purchase preference 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-MII)	20% (i.e. L1+20%)

- 36.26 As this is a Domestic Tender, only Class I & Class II Local suppliers are eligible to bid.
- 36.27 All Bidders participating in the tender shall submit LC declaration against qualifying as Class I or Class II. For this purpose, the details shall be submitted. If the bidder does not provide declaration against being a Class I or Class II Local Supplier (even after opportunity(s)), the bid shall be rejected as being from a non-eligible bidder.
- 36.28 Bids from Bidders who claim Preferential Bidding benefits as Class I Local Supplier, if found as being non-compliant with requirements for Class I local supplier shall be rejected. Purchase preference benefit shall be given only to Class-I local supplier.
- 36.29 The undertaking against local content in the subject case shall be furnished by the authorized signatory of bidder having the power of Attorney for the tender on the basis of self-assessment and certification.
- 36.30 All the eligible Class I Local Suppliers eligible for Purchase Preference i.e., with their bids within L1 +20% shall be ranked in the order of their bid value and shall be provided with opportunity to match L1 rates in the same order. In case of tie of rates (within price band of L1+20%) among Class I PP-MII bidders, bidder with the higher

annual turnover in any of the last three years, as submitted against Turnover criteria of this tender, shall be given priority for offering of matching L1 Rate.

36.31 For the purpose of extending Purchase Preference benefits, the latest quote of respective bidder(s) during the tender process with or without negotiation shall be considered.

36.32 Subject work is non divisible. The L1 bidder will be awarded the entire quantity subject to the modality of providing purchase preference for Class I Local Supplier as follows:

Conditions	Distribution methodology
<b>Case: I</b> Class I Local Supplier bidder is L1	Allocation for 100% of the work shall be awarded to the L1 bidder
<b>Case: II</b> Class II Local Supplier is L1 Class I Local Supplier are within L1+20% and eligible for Purchase preference	The lowest bidder among the Class-I local supplier will be invited to match the L1 price. 100% work be awarded to Class I Local Supplier subject to matching of L1 rates. In case such Class-I local supplier fails to match the L1 rate, the Class-I local supplier with next higher bid within the margin of Purchase Preference shall be invited to match L1 Price and so on and contract shall be awarded accordingly. In case none of the Class-I local supplier within the margin of Purchase Preference matches the L1 price, 100% work shall be allocated to the L1 Bidder.
<b>Case: III</b> Class II Local Supplier is L1 No Class I PP-MII bidder are within L1+20%	100% work shall be awarded to Class II Local Supplier, who is original L1.

Notes: -

- i) PP-MII bidder mentioned above means Class-I Local supplier as defined in the policy.
- ii) Only preferential bidders (PP-MII (Class I) quoting within the applicable purchase preference margins and agreeing to match L-1 price shall be considered.
- iii) 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.
- iv) If the bidder does not provide declaration against being a Class I or Class II Bidder even after opportunity, the bid shall be rejected as being from a non -eligible bidder.
- v) 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.

### **37.0 VERIFICATION OF LOCAL CONTENT:**

37.1 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.

**37.2** 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.

**37.3 RECIPROCITY CLAUSE:**

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.

**38.0 General Guidelines on Preferential Bidding:**

The Preferential Bidding module has been implemented in the e-tender portal (NIC) wherein bidders eligible for availing preferential treatment are required to update their profile by selecting the option for preferential bidder under "MY ACCOUNT MENU" before submission of bids. After selecting this option, the bidders are supposed to upload the supporting document for preferential bidding. A pop up message warning that bidders will not be allowed purchase preference (MSE as well as PP-LC bidders) if they do not update the necessary details is also displayed at the time of bid submission in the e-portal (NIC). It may be noted that in tenders where preferential bidding is allowed, Bidders will be able to claim preferential treatment benefit only if they have declared themselves as preferential bidder in their profile.

38.1 The methodology with respect to acceptance of claimed "Preference Category" in preferential bidding 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 tender evaluation
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 is reiterated that only preferential bidders (PP- MII (Class I) quoting within the applicable purchase preference margins) who have claimed preferential benefit at the designated section of e-tender (NIC) portal and submitted valid documents and are agreeing to match L-1 price shall be considered for purchase preference as explained above.**

**The bid of the party is also liable for rejection on the following grounds:**

39.0 Non-withdrawal of conditions imposed in tender document & conditions imposed during negotiations.

39.1 In case a bidder is put on holiday / Blacklisted 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 a situation the next lowest shall be considered as L1.

39.2 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.

39.3 The Bidders are advised to submit their offers strictly as per the terms and conditions and specifications contained in the tender document and not to impose conditions/ counter conditions. Conditional tenders received subsequent to the pre bid meeting shall be liable for rejection. The Corporation reserves the right to cancel the tender or accept any tender in whole or reject any or all tenders without assigning any reasons.

40.0 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.

41.0 Bidder submitting fabricated/false/ forged documents for the tender.

42.0 Bidder put on the holiday list during the pendency of this tender.

43.0 Whose insolvency resolution process or liquidation or bankruptcy proceedings is initiated under the code at any stage of evaluation of the bid.

- i) 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 a bid. Only one affiliate may submit a bid. If two or more affiliates submit a bid, then all of them are liable for disqualification.

It will be treated that a person shall be deemed to have submitted more than one bid if a person bids in an individual or proprietorship format and/or in a partnership or association of person format and/or in a Company format.

- (a) A company shall for this purpose include any artificial person whether constituted under the laws of Indian or of any other country.
- (b) A person shall be deemed to have bid in a partnership format or in association of person format if he is a partner of the firm which has submitted the bid or is a member of any association of person which has submitted a bid.
- (c) 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.

**44.0 OTHER POINTS:**

- 44.1 Any Addendum/ Corrigendum/ Sale Date Extension in respect of the tender shall be issued on our website <https://iocletenders.nic.in> only & no separate notification shall be issued in the press. Bidders are therefore requested to regularly visit our website to keep themselves updated.
- 44.2 All bidders must login and visit their DASHBOARD on regular basis to get the timely updates related to any communication sent in the form of e-mail/SMS by system.
- 44.3 Legal dispute, if any, arising during the evaluation of the tender shall be within the jurisdiction of local courts.
  - a) For disputes up to stage of LOA – New Delhi
  - b) For disputes during execution stage –New Delhi
- 44.4 IOCL's decision on all matters pertaining to this tender is final and binding for all bidders.
- 44.5 Please visit our website <https://iocletenders.nic.in> for further details of this tender.

**Tender Inviting Authority**

CGM (Materials & Contracts), NRO  
Indian Oil Corporation Limited (MD)  
Indian Oil Bhavan, Northern Regional Office,  
1, Sri Aurobindo Marg, Yusuf Sarai,  
New Delhi, Delhi 110016  
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