



NOTICE INVITING TENDER (NIT)

CIVIL & STRUCTURAL WORKS FOR BBU UNIT FOR BS-VI PROJECTS OF M/S MRPL



BIDDING DOC. NO.: AS/B038-413-CI-TN-8121/1030

(DOMESTIC COMPETITIVE BIDDING)

E-Tendering

1.0 INTRODUCTION:

Mangalore Refinery and Petrochemicals Limited (MRPL), a subsidiary of Oil and Natural Gas Corporation Limited, is operating a 15.25 MMTPA fuels refinery at Mangalore. The Refinery complex is integrated to Aromatic Complex and designed to produce 900,000 TPA of Paraxylene.

In view of the "Auto-fuel Vision and Policy (2014)" to produce 100% BS VI fuels, MRPL wishes to evaluate options for new process units / up grading of existing process units to comply with the specifications.

Subsequently, MRPL also intends to expand its refining capacity further through low capex process unit / revamps / augmentation.

Mangalore Refinery & Petrochemicals Ltd. (MRPL) have appointed Engineers India Limited (EIL) as consultant for implementation of BS-VI Projects at Mangalore Refinery.

- 1.1 Engineers India Limited (EIL) on behalf of Mangalore Refinery & Petrochemicals Ltd., invites e-bids **for CIVIL & STRUCTURAL WORKS FOR BBU UNIT FOR BS-VI PROJECTS OF M/S MRPL** in single stage two bid system from competent bidders in the category Class-I local supplier, as defined in PP-LC Policy enclosed elsewhere in the Bidding Document, with sound technical and financial capabilities meeting the Qualification Criteria stated in clause no. 5.0 below.

2.0 BRIEF SCOPE OF WORK:

- 2.1 The scope of work shall include all works involved in BBU plant area and associated offsite area, but not limited to the following:

- RCC & Structural steel works in Main Pipe racks
- RCC & Structural steel works in Technological Structure
- RCC works in Equipment Foundations including Process Columns, Vessels, Heat Exchangers, Pumps etc.
- RCC & Structural steel works including sheeting and cladding works with accessories for Compressor shed
- RCC works in Compressor foundations (Block & Table Top)
- RCC & structural steel works in T-supports, platforms etc.
- RCC works in Underground Pits for buried vessels including structural steel shed above pits
- Steel sheeting and cladding works with accessories for sheds over U/G pits
- RCC works in underground pits, Manholes, Culverts, clean outs, drains, Valve pits, Catch Basins etc.
- RCC works in Electrical Cable Trenches
- Foundation and Structural Steel works in associated offsite Pipe racks/ pipe bridges and flare trestles

- Addition/modification of structural steel works on existing structure of utility/offsite pipe racks and flare trestles
- Dismantling/ demolishing of brickworks, PCC, RCC, RCC pavements, RCC/PCC cable trenches and Structural steel works etc.

- 2.2 Modification works in already erected structures.
- 2.3 Supply and fixing of Electroforged gating over platforms/ drains.
- 2.4 Supply, fabrication and erection of handrail over platforms, staircases.
- 2.5 Supply and fixing of Anchor fasteners.
- 2.6 Painting of Structural Steel works.
- 2.7 PCC works including lean concrete in screed at all heights above plinth level for Beta land Pump House, HSD Pump House & White Oil Pump House.

Bidder to refer the Technical Section of Bidding Document for complete details.

3.0 TIME SCHEDULE FOR COMPLETION:

12 (Twelve) Months from the date of issue of Letter of Acceptance (LOA).

4.0 SALIENT DETAILS:

a.	Bid Security / Earnest Money Deposit	:	INR 25,71,400/- (Rupees Twenty Five Lakh Seventy One Thousand Four Hundred Only). (Refer Clause 9 below for details)
b.	Bidding Document available on Web-site	:	From 28 th FEBRUARY 2022 to 1200 Hrs (IST) on 21 st MARCH 2022
c.	Last Date and time of submission of Bids	:	Up to 1200 Hrs (IST) on 21st MARCH 2022
d.	Last Date and time of submission of EMD in Original at EIL Gurugram office	:	Refer Clause 9.5 below.

e.	Pre-bid meeting*	:	<p>Through WebEx on 08th MARCH 2022 at 1400 Hrs (IST)</p> <p>The meeting shall be conducted through following WebEx Link:</p> <p>https://eil1.webex.com/eil1/j.php?MTID=m6a94f0b3ad03918268e4a8f06da28bec</p> <p>Tuesday, Mar 8, 2022 2:00 pm 2 hours (UTC+05:30) Chennai, Kolkata, Mumbai, New Delhi Meeting number: 2651 884 2521 Password: fZtY2BQ83XE</p> <p>Join by video system Dial 26518842521@eil1.webex.com You can also dial 210.4.202.4 and enter your meeting number.</p> <p>Join by phone +61-2-9338-2221 Australia Toll</p> <p>Access code: 265 188 42521</p>
f.	Last date for pre-bid queries	:	Up to 7 th MARCH 2022
g.	Opening of Techno-commercial (Unpriced) Bids*	:	1400 Hrs (IST) on 22 nd MARCH 2022
h.	Cost of Bidding Document (Non-Refundable)	:	Not applicable
i.	Opening of Priced Bids	:	The date & time to be intimated later
j.	Site Location for Site Visit	:	Refer Instructions to Bidders
k.	Place of Submission of EMD	:	<p>Dak Receipt Section, Engineers India Limited R&D Complex, Sector-16 (On N.H.-8) Tower-2 (Ground Floor), Gurugram -122 001 Haryana (India) Tel No. +91-124- 289 1386 / 1305/1365</p> <p>Kind. Attn.: Mr Anindya Sinha–GM (SCM)</p>

If dates identified as (*) above happen to be a declared holiday/closed day in EIL Gurugram, then activity shall be conducted on next working day.

The complete Bidding Document is available on EIL website (Only link is available on EIL Website) : <http://tenders.eil.co.in>; MRPL website: www.mrpl.co.in and Govt. Website: <http://eprocure.gov.in/eprocure/app> Bidders can view / download the document from any one of the websites mentioned above.

All revisions, amendments, time extension, clarifications, etc. to the NIT/ Bidding Document shall be uploaded in the websites only and shall not be published in Newspapers. Bidders should regularly visit the above website(s) to keep themselves updated and submit their bids based on Latest information.

Request for extension or any queries received from any bidder with less than four working days prior to bid due date shall generally be ignored, since there will not be adequate time for proper communication with Client and other Bidders. Bidders shall submit the bid directly and in their own name without involving any intermediaries.

5.0 **BIDDER QUALIFICATION CRITERIA (BQC) :**

Bidder shall fulfil the following qualification criteria in order to qualify for this work:

5.1 **EXPERIENCE CRITERIA (COMMERCIAL)**

5.1.1. The bidder should have experience of having carried out and completed similar work(s)* during the last 7 (Seven) years ending last day of the month previous to the one in which tenders are invited, which should be either of the following:

(i) Three similar completed works, each costing not less than **INR 6,28,57,800/- (Rupees Six Crore Twenty Eight Lakh Fifty Seven Thousand Eight Hundred Only).**

OR

(ii) Two similar completed works, each costing not less than **INR 7,85,72,300/- (Rupees Seven Crore Eighty Five Lakh Seventy Two Thousand Three Hundred Only).**

OR

(iii) One similar completed work costing not less than **INR 12,57,15,600/- (Rupees Twelve Crore Fifty Seven Lakh Fifteen Thousand Six Hundred Only).**

* **“Similar Works”** as specified under Sub-Clause 5.1.1 above, shall mean **“Civil & Structural Works including RCC (in framing / Roof structures) and Structural Steel Works (in framing / Roof structures) in an Industrial Plant or in a Hydrocarbon/Fertilizer Sector”**.

5.1.2. In case, the Bidder is a “Start-Up”, duly recognized by the Department for Promotion of Industry and Internal Trade (DPIIT) and fulfils the requirements governing Start-Ups as per the extant Policy/Rules as notified by DPIIT on their Website (<https://www.startupindia.gov.in/>), such bidder should have completed at least one, two or three Contracts of **“Similar Works”**, having **50%** of the minimum value(s) as indicated in Sub-Clause 5.1.1 above during the last 7 (Seven) years ending last day of the month previous to the one in which tenders are invited.

5.1.3. **Industrial Plant:** “Industrial Plant” as specified under Sub-Clause 5.1.1 above, means any premises, in any part of which, a manufacturing or production process could be carried out.

5.1.4. **Hydrocarbon Sector:** “Hydrocarbon Sector” as specified under Sub-Clause 5.1.1 above, means Refineries / Petrochemicals / Gas Processing – Onshore / Oil or Gas Terminals.

5.1.5. **For experience based on Composite Works:** In case the Bidder has executed **Composite Works** which includes the qualifying work(s) as per the definition of “Similar Work” (defined in clause no. 5.1.1 above), then the **value of such qualifying**

work(s) out of the total value of Composite Works shall be considered for the purpose of qualification.

5.1.6. Bidder's past experience as Consortium/JV:

While evaluating the Bids, Bidder's **past experience as a leader or member of a Consortium/JV shall be considered** acceptable, provided his scope in that Consortium/JV meets the requirement stipulated in the subject BQC.

In case, the PTR of Consortium/JV experience submitted by the Bidder meets the similar work without indicating the division of scope of work in terms of specific activities and associated value of work between the Consortium/JV members, but only the division of scope in terms of percentage share is indicated, in such case the completed value shall be arrived at after considering percentage share of each member, for the purpose of BQC evaluation.

5.1.7. Experience of Bidder as a Sub-Contractor:

A job completed by a Bidder as a Sub-Contractor shall be considered for the purpose of meeting the experience criteria of BQC, provided the appointment of sub-contractor was authorized and subject to submission of following documents in support of meeting the BQC:

- a. **Documentary evidence/Certificate by the end-User/Owner/PMC**, with regards to approval of Bidder / execution by the Bidder as a Sub-Contractor to the Main Contractor.
- b. **Work order and Completion Certificates indicating the value of works and date of completion** issued by Main Contractor (including SOR, wherever required for establishing scope of work).

5.1.8. Experience of Own Projects

A job executed by a Bidder for its own plant/projects shall not be considered as experience for the purpose of meeting the Qualification Criteria of the Enquiry document.

However, **Jobs executed for Subsidiary/ Fellow subsidiary / Holding company shall be considered as experience for the purpose of meeting BQC, subject to submission of additional document towards "tax paid invoice(s) duly certified by Statutory Auditor of the Bidder or consolidated statement issued by Statutory Auditor of the Bidder towards payments of statutory tax"** in support of the job executed for Subsidiary/ Fellow subsidiary / Holding company.

In case referred Project falls under "No Tax Area" (like SEZ), Bidder can submit certificate from their Statutory Auditor to above effect in place of Tax paid invoice.

Chartered Accountant (CA) (in place of Statutory Auditor) is acceptable where audited accounts are not mandatory as per law for latest financial year. CA shall not be an employee/ Director and not having any interest in the Bidder's company/Firm.

5.1.9. In case, two separate Bidders submit reference of same work (wherein one was Main Contractor and the other was Sub-Contractor) for meeting BQC, both Bidders' experience shall be considered for qualification subject to Bidder's meeting other qualification requirements.

5.1.10. The annual inflation in the value of contract executed by the Bidder under the past experience shall not be considered.

5.1.11. Experience of only the Bidding entity shall be considered.

5.1.12. In case a Bidder submits PTR having job awarded for multiple Parts in single Work Order having separate completion schedule for each Part, and the Bidder wants to get qualified based on the completion of One or more Parts (irrespective of whether all Parts under the same work order are completed or not), which meets the subject BQC value-wise and with respect to Similar Work, the same may be considered subject to the completion certificate with executed value of that/those Part(s) from the Owner/End User/PMC for that/those Part(s).

However, where multiple-Parts work is awarded under different Work Order(s) having different Work Order reference number(s) with the same Enquiry Document No., cumulative value of such completed Work Orders meeting definition of Similar Work, as submitted, shall be considered for the purpose of BQC Evaluation, provided multiple orders have been issued concurrently.

5.1.13. Taxes/Duties in BQC Evaluation

The executed Contract Price as per the Completion Certificate shall be considered for meeting value based Experience Criteria of BQC, provided the same is excluding Service Tax/GST as applicable. In case the executed contract price includes Service Tax/GST, the same shall be excluded for evaluation.

In case Service Tax / GST amount/ component is not specified in the submitted completion certificate/Contract, then the amount equivalent to rate of applicable Service Tax / GST for the financial year of job completion for the subject tender shall be deducted from the value of completed job mentioned in the completion certificate to arrive at the value of completed job without Service Tax / GST.

5.2 FINANCIAL CRITERIA

5.2.1. Annual Turnover:

The **Average Annual Financial Turnover** of the Bidder during the last 3 years ending 31st March of the previous financial year should be at least **Rs 4,71,43,400/- (Rupees Four Crore Seventy One Lakh Forty Three Thousand Four Hundred only)**.

5.2.2. In case, the Bidder is a "Start-Up", as defined under cl. 5.1.2 above, **The Average Annual Financial Turnover** of the Bidder during the last 3 years ending 31st March of the previous financial year should be **50%** of the minimum value as indicated in Sub-Clause 5.2.1 above.

Turnover (for the Financial Statement pertaining to post GST regime): Turnover shall be taken as **Revenue from operation (excluding GST)** as stated in Financial Statement of the Bidder, excluding other Income.

However, **Turnover for the Financial Statement pertaining to pre-GST regime** shall be calculated as **Revenue from operation including Excise Duty** but Excluding Other Income.

5.2.3. Net Worth:

The **Net worth** of the Bidder as per the immediate preceding year's Audited Financial Statements should be positive. CPSEs having Negative Net Worth shall furnish an undertaking in their Bid that performance shall not be compromised.

Negative Net Worth shall not be a rejection Criteria for CPSEs. Contract award shall be purely on competitive basis.

Net worth calculation: Net worth means paid up share capital, Share Application Money pending allotment* and reserves# less accumulated losses and deferred expenditure to the extent not written off.

Net worth shall be calculated using the following formula:

Reserves to be considered for the purpose of net worth shall be all **reserves created out of the profits and securities premium account** but shall not include reserves created out of revaluation of assets, write back of depreciation and amalgamation.

***Share Application Money pending allotment will be considered only in respect of share to be allotted.**

Description		Values <in INR>	Reference (Page no., Clause etc.)
Paid up Share capital (A)	:		
Add: Share Application Money pending allotment (B)	:		
Add: Reserves (As defined above) (C)	:		
Less: Accumulated Losses (D)	:		
Less: Deferred Revenue Expenditure to the extent not written off (E)	:		
Net Worth (A+B+C-D-E)	:		

5.2.4. Working Capital:

The minimum working capital of the bidder as per the immediate preceding year's audited financial results should be **Rs 1,57,14,500/- (Rupees One Crore Fifty Seven Lakh Fourteen Thousand Five Hundred only)**

Working Capital (WC) calculation: Working Capital shall be Current Assets minus Current Liabilities.

In case, Bidder is unable to meet the WC requirement as above, the Bidder can supplement the WC with a **Fund based Line of Credit (LOC)** from any scheduled commercial bank in India (other than co-operative bank) (letters from multiple banks not acceptable), having net worth more than equivalent INR 1000 Million. In such a case, Bidder shall furnish a declaration from the bank for availability of **unutilized fund based line of credit for the shortfall in WC** below the specified WC value, in the format (enclosed as **Annexure-1 to NIT**). **The letter shall provide the status of Fund based Line of Credit as on any date between the date of Enquiry and Bid Due Date.**

The LOC for the shortfall of WC shall be from a single bank only. However, banking syndicate shall also be allowed wherein a group of Banks can jointly underwrite and jointly lend money to the Bidder. In case of Banking syndicate also declaration letter for meeting WC shall be from a single bank only.

In case a Bidder submits Letters from multiple banks, the highest WC amongst all the Banks shall only be considered for BQC evaluation.

Example: If the WC required is Rs. 50 Crore and the Bidder has WC of Rs 30 Crore as per the Audited Financial Statement, Bidder needs to submit a LOC for the balance Rs. 20 Crore.

Further, if the Working Capital required is Rs. 50 Crore and the Bidder has WC of (-) Rs 10 Crore as per the Audited Financial Statement, Bidder needs to submit LOC for Rs. 60 Crore to meet the BQC requirement.

Note: For any Bidder, as per their company policy if the financial year ending is other than 31st March, then in that case the financial year as followed in their company shall be applicable.

5.3 DOCUMENTATION AND DATA REQUIRED WITH THE BID:

The documents to be furnished should include the following:

5.3.1. For Experience Criteria (Commercial) as per clause 5.1 above:

5.3.1.1. The bidder shall, in his own interest, furnish complete documentary evidence to justify that the bidder meets the Qualification Criteria.

5.3.1.2. Bidder shall complete and submit the Experience Record Proforma provided under the Proposal Form of the Bidding Document (Along with supporting documents mentioned) to establish that the bidder meets the BQC.

5.3.1.3. Bidder shall submit the following documents in order to meet the Experience Criteria of BQC:

- i. Work Order
- ii. Completion Certificates (having co-relation with Work Order)
- iii. Any other relevant documents, if required, to substantiate the executed value of similar work and to establish the similar work as defined in IFB, co-relating the work order and/or Completion certificate, including but not limited to the certificate from Owner/End User/PMC, certified copy of invoice/ final Bill, SOR, Payment Terms etc. (as applicable)

5.3.1.4. In case, the Bidder is a "Start-Up" company, they shall submit the documents as per Clause No. 5.3.3 below.

5.3.2. For Financial Criteria as per clause 5.2 above:

5.3.2.1. Complete Audited Financial Statement (which includes 'Balance Sheet' and 'Profit & Loss Account' along-with the all schedules, Notes referred to therein and the Auditor's report).

5.3.2.2. Bidder shall ensure that the certificate/reports issued/attested by practicing Chartered Accountant (CA)/Statutory Auditor in India shall contain **Unique Document Identification Number (UDIN)** of the CA, without which these Certificates/ reports shall not be considered for evaluation.

5.3.2.3. However, this requirement of including UDIN shall not be mandatory for certificate/reports issued/attested by a CA practicing in foreign country.

5.3.2.4. In case the last financial year's closing date was within 9 months prior to bid due date and Complete Audited Financial Statement of last financial year are not available, bidder has the option to submit the financial details of the three previous financial years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate preceding three financial years.

For example, In case, bid due date is up to 31st December and Financial details of immediate preceding financial year (year ending 31st March of the same year) are not available, the financial details of the three previous years immediately prior to the last financial year may be submitted.

5.3.2.5. Submission of Consolidated Audited Financial Statement:

- i. **Bidder is a Parent/Holding Company:** Where only consolidated Audited Financial Statements are prepared and audited, which includes the financial details of their wholly owned subsidiaries etc., consolidated audited financial statement shall be considered for establishing the financial criteria subject to Statutory Auditor/ CEO/ CFO/ Company Secretary or any member of the Board of Directors of the bidder, certifying that standalone Financial Statements of bidder (without the financial data of subsidiaries, etc.) is not separately prepared and audited.
- ii. **Bidder is a Subsidiary Company:** In case a Bidder is a Subsidiary Company and separate Financial Statements of the Bidder is not prepared & audited, but only a consolidated audited Financial Statements of their Parent Company/Holding Company are available, consolidated audited Financial Statement shall be considered for establishing the financial criteria subject to Statutory Auditor/ CEO/ CFO/ Company Secretary or any member of the Board of Directors of the Parent/Holding company (whose Audited Financial Statements are submitted for qualification) certifying in their letterhead that Financial Statements of Bidder are not separately prepared and audited.

5.3.3. Bidder seeking qualification under the provisions covered in Clause Nos. 5.1 & 5.2.1 above for “ Start-Ups” shall comply the following:

- a) Bidders holding a valid certificate recognising the bidder as start-up as on the date of issue of enquiry shall alone be eligible for the above relaxation. Bidder shall be required to submit a copy of certificate of recognition towards Startup enterprise registration issued by Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce & Industry.
- b) Bidder shall submit an undertaking that Startup enterprise registration issued by DPIIT neither been revoked nor the status of Bidder as Start-up has been modified based on the definition specified in the prevailing gazette notification by DPIIT.
- c) All the documents submitted by the bidder, as above, shall be submitted duly authenticated as per the clause no. 5.4 below.
- d) In case, a Start-up bidder doesn't submit the requisite documents, as above, or submits invalid documents or fails to submit the authenticated documents, such bidders shall not be considered eligible for relaxation for Start-Ups specified in bidding document.
- e) All the startup certificates shall be verified by EIL from the website (<https://www.startupindia.gov.in/>)

5.4 AUTHENTICATION AND VERIFICATION OF DOCUMENTS

5.4.1 Bidders shall submit documents in support of meeting the BQC duly certified by CEO/CFO/Company Secretary or any member of the Board of Directors in case of limited companies(Private/Public limited).

CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company can either sign all the pages of the documents or submit a certificate signed by them, listing out all the BQC documents submitted in the bid along with basic details, duly referenced in **Annexure-2 to NIT**.

In case of Proprietorship/ Partnership firms, the authentication shall be by the proprietor/ any two partners and also notarised by public notary on all pages of the documents shall be required.

In addition to above, bidder shall furnish an undertaking in the format enclosed as Annexure-2 to NIT, from the same authority (authorities) who had signed and authenticated the documents.

Bidders shall be required to upload the digitally signed authenticated copies of documents for meeting BQC on the e-tendering portal only. In that case, bidders shall not be required to submit the original authenticated documents in physical form to EIL.

5.4.2 In addition, bidders to confirm that all authenticated documents submitted for meeting the BQC are certified as per the authentication requirement defined in the bidding document.

5.4.3 Requirement of above certification shall not be applicable to published audited annual financial statements in English, if original booklets are submitted.

5.4.4 Bidders should ensure submission of complete information/ documentation in the first instance itself. Qualification may be completed based on the details so furnished without seeking any subsequent additional information.

In absence of requisite documents, EIL/MRPL reserves the right to reject the bid without making any reference to the bidder.

5.4.5 Submission of authentic documents is the prime responsibility of the Bidder. Wherever EIL/MRPL has concern or apprehension regarding the authenticity/correctness of any document, EIL/MRPL reserves the right of getting the document cross verified from the document issuing authority. Bidder shall provide all necessary assistance in this regard.

In addition to the above, EIL/MRPL shall carry-out verification of the documents submitted towards meeting the BQC, in case of the lowest bidder after Price Bid opening. The detailed methodology for this verification is covered in clause no. 41.3 of ITB.

It shall be the responsibility of the Bidder to provide complete assistance to EIL/MRPL for carrying out the verification exercise. Accordingly, Bidder shall ensure that they submit those executed and completed Work(s)/Contract(s) meeting the BQC for which they can arrange such verification from their respective Clients.

Failure of cross verification shall entitle EIL/MRPL to reject the bid or terminate the Contract, if already issued.

5.5 Translation of BQC Documents to English Language

If the supporting documents towards BQC are not in English language, then copies of the English translation of the same shall also be furnished duly certified, stamped and signed, as per the convention followed by the concerned authority in the respective country, by any one of the following authorities:

- a. Local Chamber of Commerce, or
- b. Any recognized/ authorized translator in India.

5.6 GENERAL

5.6.1. Failure to meet the above Qualifying Criteria at Clauses 5.1 and 5.2 above will render the bid to be summarily rejected.

5.6.2. The Bidders who are on Holiday list and/or any other similar list of EIL/MRPL on the due date of submission of Bid / during the process of evaluation of the Bids, the offers of such Bidders shall not be considered for Bid opening/Evaluation/Award.

5.6.3. Bidder to inform the status of their being banned or delisted or placed on "Holiday List and/ or any other similar list" (including the matter under subjudice, if any) by any Government or Quasi Government agencies or PSUs. This fact must be clearly

stated. If this declaration is not furnished, Bidder's offer shall be treated as non-responsive and liable for rejection.

5.6.4. Bidder shall furnish documentary evidence i.e. copies of work orders/ relevant pages of Contract/SOR/invoice/final Bill, completion certificate, from the Owner/ Consultant of work executed, copy of MOU with Sub-Contractor (as applicable), Audited annual Financial Statements containing audited balance sheets and profit & loss accounts statement in the first instance itself, in support of their fulfilling the qualification criteria. **EIL reserve the right to complete the evaluation based on the details furnished without seeking any additional information.**

5.6.5. For cases involving Bidder Qualification (Experience) Criteria, only such past experience(s) shall be considered for qualification, details of which are provided in the Bid by the Bidder and/or out of the list of Similar Work experiences specified in the Bid (with or without submitting relevant qualification documents), and subsequently no additional past experience (PTR) which is not referred at all in the Bid in specific location, shall be permitted to be submitted by the Bidder and the Bid shall be evaluated in the following manner:

- a) In case, a Bidder does not meet the BQC based on experience documents (copy of work order, completion certificate, performance certificate etc. as more specifically mentioned in the BQC) submitted by the Bidder in support of meeting the BQC, Bids shall be rejected in case of "No Deviation Bid" without issuing TQs/CQs. However, in case CQs/ TQs are issued, Bidders can be allowed to submit additional documents for any of the work out of the past experience(s) (PTR) list already submitted along with the Bid, to support their meeting the BQC.
- b) No new additional past experience(s) (PTR) (not specified in the list already provided by the Bidder in their Bid) shall be considered from the Bidders.

5.6.6. **CURRENCY CONVERSION FOR EVALUATION OF BQC**

Currency Conversion in case of BQC document other than in Indian Currency/specified Foreign Currency shall be as follows:

- a) **Value based Experience Criteria:** In case currency indicated in the BQC related document (work order/completion certificate etc.) submitted by Bidder towards qualification of value based experience criteria is other than in Indian Currency/specified Foreign currency, the value of work shall be derived to Indian Currency/specified Foreign currency considering "**Bill Selling (foreign exchange) Rate of State Bank of India**" as on the **date of award of work**.
- b) In case, the SBI Bill Selling rate is not available as on the date of conversion as specified above for respective cases, the currency conversion rate shall be taken from the Internet , such as:

<https://www.xe.com/currencyconverter>,

<https://www.oanda.com/currency/converter>,

<https://economictimes.indiatimes.com/markets/forex/currency-converter>

5.6.7. EIL reserves the right to complete the evaluation based on the details furnished (without seeking any additional information) and / or in-house data, survey or otherwise.

Further, if the Bidder cites any reference of a job executed for Owner / some other Owner through EIL and the Bidder is not able to furnish documentary evidence, Owner/ EIL may consider the internal records of Owner or EIL (as the case may be).

5.6.8. Any direct email communication from Bidder's Owner / PMC (from their domain server) [of whom Bidder has submitted the past experience] to EIL shall be

acceptable for establishing work experience. The same shall be considered as an authentic document.

- 5.6.9. For meeting the Financial Criteria, bidders shall be required to submit the Audited Annual Reports / Financial Statements of the Company as per the provision of bidding document, audited and issued till the final bid due date (including extended due date). Accordingly, Financial Statements of the Company audited & issued post final bid due date and time shall not be considered for evaluation.
- 5.6.10. Bidders are required to sign and submit the Integrity Pact along with their bid. Non Submission of Integrity Pact shall lead to not considering their bid for further evaluation.
- 5.6.11. Bidder should not be under liquidation, court receivership or similar proceedings.
- 5.6.12. **In case Bidder(s) affirms that present litigations/arbitrations have impact on their obligations to perform the Contract or doesn't provide the affirmations as above, their bids shall be rejected.**
- 5.6.13. **The Institute of Chartered Accountant of India at its 379th council meeting dated 17-18th December, 2018 made generation of Unique Document Identification Number (UDIN) mandatory for every signature of full time practicing chartered accountant in phased manner for following services:**
- 1 All certificates with effect from 1st February, 2019.
 - 2 GST and Income Tax Audit with effect from 1st April, 2019.
 - 3 All Audit and Assurance Functions with effect from 1st July, 2019.

In view of the above, bidder shall ensure that any certificate/ reports issued/ attested by an practicing chartered accountant in India and submitted in the bid shall mandatorily include the UDIN number. Certificate / reports issued/ attested without UDIN number of practicing chartered accountant in India shall not be considered for evaluation.

The requirement of including UDIN shall not be applicable for certificate/ reports issued/ attested by a chartered accountant practising in Foreign Country.

- 5.6.14. Any additional documents, if deemed necessary to establish the qualifying requirements may be submitted by the Bidder.
- 6.0 ***Bidders to note that "Purchase Preference under Public Procurement Policy, 2012 for MSEs" is not applicable, being Works Contract Services.***

7.0 **PRE-BID MEETING :**

- 7.1 Bidders are requested to attend the pre-bid meeting through WebEx, as per the details mentioned in Clause No. 4.0 above.
- 7.2 The bidder may send their queries, if any, on Bidding Document by e-mail to anindya.sinha@eil.co.in; / sk.mandal@eil.co.in;/ naveen.pandit@eil.co.in; prior to Pre-bid meeting. These queries shall be replied during the Pre-bid meeting.
- 7.3 The queries raised (without identifying the sources of the query) and the responses given will be transmitted to all who have been provided access to the Bidding Documents.
- 7.4 Non-attendance of the pre-bid meeting will not be a cause for disqualification of a bidder.

8.0 **SUBMISSION OF BIDS & VALIDITY**

- 8.1 Bids are required to be submitted only through Govt. of India CPP Portal at <http://eprocure.gov.in/eprocure/app> on or before the Bid submission date and time. Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: <http://eprocure.gov.in/eprocure/app>). No enrolment fee would be charged from the bidders. It may also be noted that the price details are required to be filled & submitted only on the Schedule of Price format downloaded from above e-Tendering website.
- 8.2 Bidders in their own interest are requested to enroll on Govt. of India CPP portal and upload/submit their bid well in time. In the event of failure in bidder's connectivity with EIL/CPP Portal during the last few hours, bidder is likely to miss the deadline for bid submission. Due date extension request due to above reason may not be entertained.
- 8.3 Physical Bids / Offers or Bids through any other mode shall not be accepted. The Offers submitted through e-tendering system, as above shall only be considered for evaluation and ordering.
- 8.4 Bidders to refer Instruction to Bidders for E-Tendering Methodology provided as Annexure-I to Instructions to Bidders (ITB), in the Bidding Document. Bidders are requested to get acquainted with the E-Tendering System in advance and obtain/seek clarifications, if any from EIL and/or CPP Portal Helpdesk, whose contact information is provided in the Annexure-I to ITB.
- 8.5 Subsequent to the submission of bid, bidders are not allowed to change the price or substance of the bid i.e. scope of work, specifications, delivery schedule, completion period etc. including modification of the bid to meet the BQC.
- 8.6 Validity of bid shall be **4 (four)** months from the final due date of submission of Bids.
- 9.0 **EARNEST MONEY DEPOSIT (EMD)**
- 9.1 Bidders shall submit Earnest Money Deposit (EMD) as mentioned above in the form of demand draft (in INR) or bank guarantee (as per Proforma provided in the Bidding Document) in favour of "Mangalore Refinery and Petrochemicals Limited (MRPL), Mangalore". Issuance of Bank Guarantees shall be confirmed directly to the Owner / EIL. Bids not accompanied with EMD shall be rejected and bidder shall not be allowed to witness the tender opening.
- 9.2 Earnest Money Deposit (EMD) as mentioned above shall be submitted within the Bid Due Date. Earnest Money Deposit (EMD) if submitted in the form of Bank Guarantee, shall be valid for a period of **2 (Two) months** beyond the bid validity and shall be submitted from any Scheduled Bank (Including nationalized banks, other scheduled commercial banks, schedule cooperative banks and scheduled regional rural banks as appearing in the second Schedule to the RBI Act 1934.
- 9.3 Exemption of EMD will be applicable for Indian CPSUs and Micro or Small Enterprises (MSEs) registered with District Industries Centers or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation for corresponding item/works or Directorate of Handicrafts and Handlooms, Udyog Aadhar Memorandum or any other Body specified by Ministry of Micro, Small and Medium Enterprise provided that certificate issued by the relevant agency is valid on the date of Un-priced Bid Opening. The bidder shall submit Notary attested copy of the valid MSE registration certificate. Scanned copy of Notarized Registration certificate should be uploaded in the e-procurement website.
- a) Bidder claiming to be a Micro or Small Enterprises (MSEs) for the purpose of availing EMD Exemption for MSEs in the bidding document shall review and ensure their status as Micro or Small Enterprises as per Gazette**

Notification no. 2119(E) dated 26.06.2020 (enclosed as Annexure-III to ITB) and confirm specifically that:

“ They are Micro or Small Enterprises (as the case may be), as on the bid due date, as per the guidelines for re-classification of micro, small and medium enterprises notified by Ministry of MSME vide Gazette Notification no. 2119(E) dated 26.06.2020.”

With the confirmation as above by the bidder, documents submitted by the bidders (as were been submitted earlier like NSIC, UAM, EM-Part-II) will be considered acceptable upto 31.03.2022. However, post 31.03.2022, bidder will be required to submit the Udyam Registration Certificate or any other document permitted by GOI.

Financial statement of bidders shall not be referred for the above purpose.

- b) CPSU / CPSE shall submit declaration to this effect that being CPSU/ CPSE they are exempted from submitting Bid Security
- 9.4 Bidders are required to submit the EMD (in the prescribed format) in original at the time of bid submission in sealed envelope and are required to upload the scanned copy of EMD on e-tender Portal along with e-Bid. EMD in original shall be submitted in a sealed envelope titled **“Earnest Money Deposit for Bidding Document No.: AS/B038-413-CI-TN-8121/1030”**. Bidder must upload the scanned copy of EMD (in the prescribed format) on e-tender Portal along with the e-bid. Swift message/Cheque/Cash shall not be acceptable. In case bidder fails to upload scanned copy of EMD on e-tender Portal by the bid due date & time, such bid shall not be considered for evaluation.
- 9.5 **Bidder shall be required to submit the copy of the bid security (or authenticated exemption certificate, wherever applicable) within the final extended bid due date and time on the e-tendering portal. In case of bid security in the form of BG/ DD, bidders shall also be required to submit the original DD/ BG to EIL , preferably before the final extended bid due date and time but not later than 7 (Seven) calendar days from final extended bid due date and time. If the Bidder fails to submit Bid Security (BG/ DD) physically in original within the above cut-off date, his bid shall be rejected and not considered for further evaluation, irrespective of their status/ ranking in tender and notwithstanding the fact that a copy of Bid Security was earlier uploaded by the bidder on the e-tendering portal.**
- 10.0 **GENERAL**
- 10.1 OWNER/EIL reserves the right to carry out capacity & capability assessment of the bidder using in-house information and past performance.
- 10.2 The bidders who are on Holiday Listing/Black Listing/Suspension/Banning list of OWNER or EIL on due date of submission of bid/ during the process of evaluation of the bids, the offers of such bidders shall not be considered for bid opening/evaluation/Award. If the bidding document were issued inadvertently/ downloaded from website, offers submitted by such bidders shall also be not considered for bid opening/evaluation/Award.
- 10.3 Wherever-**“Black-listing / Holiday Listing”** is appearing in the Bidding Document the same stands replaced by – **“Black-listing / Holiday Listing /Suspension / Banning List”**.

- 10.4 OWNER/EIL will not be responsible or liable for cost incurred in preparation, submission & delivery of bids, regardless of the conduct or outcome of the bidding process.
- 10.5 In case any Bidder is found to be involved in cartel formation, his Bid will not be considered for evaluation / placement of order. Such Bidder will also be debarred from bidding in future.
- 10.6 Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.
- 10.7 Bidders may view the Bid opening through Govt. of India CPP Portal i.e. <http://eprocure.gov.in/eprocure/app>.
- 10.8 OWNER/EIL reserves the right to reject any or all the bids received or annul the bidding process at any time.
- 10.9 Consultant for the Project 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.
- 10.10 Bids submitted on Consortium or un-incorporated Joint-Venture basis shall not be accepted.
- 10.11 Owner reserves its right to allow Public Sector Enterprises (Central/State), purchase preference as admissible/applicable from time to time under the existing Govt. policy. Owner shall also follow the Public Procurement Policy on Procurement of Goods and services from Micro and Small Enterprises (MSEs) Order 2012.
- 10.12 For detailed specifications, terms and conditions and other details, refer complete Bidding Document.
- 10.13 Unsolicited clarifications to the offer and / or change in the prices during the validity period would render the bid liable for rejection.
- 10.14 Clarification, if any, can be obtained from GM (SCM), Engineers India Limited, R&D Complex, Sector-16 (On N.H.-8), Tower-1 (1st Floor), Gurugram-122 001, Haryana (India), Tel No. +91-124- 289 1386/1305/1365. e-mail id: anindya.sinha@eil.co.in; / sk.mandal@eil.co.in; / naveen.pandit@eil.co.in;

General Manager (SCM)
Engineers India Limited, Gurugram.

(To be declared by the Bank on their Letter Head)

DECLARATION FOR AVAILABILITY OF UNUTILIZED LINE OF CREDIT

Ref: _____

Date: _____

We _____ <Insert Name of Bank>, a Bank, having its registered office at _____ <Insert full address of the Bank with Country Name> and Branch at _____ <Insert full of Branch address with Country Name, in case different from registered office >, hereby confirm that the Company M/s _____ <Insert Company Name in favour of whom Declaration being issued>, having its registered office at _____ <Insert full address of Company with Country Name> and their working Office address at _____ <Insert full working office address with Country Name, in case different from registered office >, is having Bank account with our Bank.

The credit limits of the Company as on _____ <Insert any Date between the date of Enquiry and Bid Due Date> are as follows:

Fund Based Line of Credit (towards Working Capital like CC Limit)	Amount in (Currency _____)
Sanctioned Line of Credit	
Utilized Line of Credit	
Balance Line of Credit	

The Bank further hereby declare [Bank to specify as applicable]:

(a) that we are a Scheduled Commercial Bank in India and our Net Worth is more than INR 1000 Million;

OR

(b) that we are a Bank which is listed as a scheduled commercial bank in India and our Net Worth more than **INR 1000 Million** (or equivalent USD) as per our latest audited financial statements.

Yours Faithfully,

Signature

Name:

Designation:

E-mail ID:

Mobile number:

Tel (with STD Code):

Seal:

SELF-CERTIFICATION FOR ALL BQC DOCUMENTS (INCLUDING MSE DOCUMENTS)

RFQ/Bidding Document No.:

Item/Work:

I, _____ S/o/D/o of _____, working as _____ {CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company or proprietor / any two partners in case of Proprietorship / Partnership firms (indicate, as applicable)} of the Company _____ having its registered office at _____ certify that all the details including documents pertaining to Bidder Qualification Criteria signed by undersigned vide our offer reference _____ against your Enquiry document _____, are true, authentic, genuine and exact copy of its original.

Sl. No.	Document Reference No. & Date	Document Subject	Issuing Authority

It is certified that none of the documents are false/forged or fabricated. All the documents has been submitted with full knowledge of (i) the provisions of the Indian laws in respect of offences including, but not limited to those pertaining to criminal breach of trust, cheating and fraud (ii) provisions of bidding conditions and iii) Suspension / Banning rules of Owner/ EIL, which entitle the Owner/EIL to initiate action in the event of such declaration turning out to be a misrepresentation or false representation.

I further certify that further documents, if any, required to be submitted by our company, shall be submitted under my knowledge and those documents shall also be true, authentic, genuine, exact copy of its original and shall not be false/forged or fabricated.

I also declare that in case, at a later date, any of the document submitted in our bid referred above is found to be false/forged or fabricated, I, shall be held responsible for the same and EIL/Owner has every right to take action against me and my company, as deemed fit as per law of land and provisions of the Bidding Documents and EIL/Owner's right to put our company on Suspension / Banning list for future business with EIL/Owner.

Specimen Signature of authorized representative

Signature
Name & Designation

(CEO/ CFO/ Company Secretary or any member of the Board of Directors in case of a limited company or proprietor / any two partners in case of Proprietorship / Partnership firms (indicate, as applicable))

Notarised by Notary Public (applicable only in case of Proprietorship / Partnership firm)