BHARAT PETROLEUM CORPORATION LIMITED

LPG IMPORT TERMINAL FACILITIES PROJECT AT HALDIA

(BIDDING DOCUMENT NO. AK/A872-030-MA-TN-6001/1001)

BIDDING DOCUMENT FOR REFRIGERATED DOUBLE WALL STORAGE TANK WORKS

Part - I: COMMERCIAL SECTION

Prepared by:

ENGINEERS INDIA LIMITED
(A Govt. of India Undertaking)
## MASTER INDEX

**NAME OF WORK**: REFRIGERATED DOUBLE WALL STORAGE TANK WORKS AT LPG IMPORT TERMINAL FACILITIES PROJECT AT HALDIA OF M/s BPCL

**BIDDING DOCUMENT NO.**: AK/A872-030-MA-TN-6001/1001

### PART – I: COMMERCIAL SECTION

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<td>xviii.</td>
<td>REQUIREMENT FOR RADIOGRAPHY &amp; OTHER NDT</td>
<td>1</td>
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<td>7.</td>
<td>General Conditions of Contract (GCC) along with its Annexure</td>
<td>66</td>
</tr>
</tbody>
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**PART – II**

**PRICE PART**

<table>
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<tr>
<th>S. NO.</th>
<th>DESCRIPTION</th>
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<td>Cover Page</td>
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<td>19</td>
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<td>3.</td>
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<td></td>
</tr>
<tr>
<td>4.</td>
<td>Detailed Description</td>
<td>1+32+14+3+17</td>
</tr>
</tbody>
</table>

Note: Documents as per Master Index (Technical) is attached separately with the Technical Part.
NOTICE INVITING TENDER (NIT)
FOR LPG IMPORT FACILITIES AT HALDIA PROJECT
OF M/s BPCL
INTERNATIONAL COMPETITIVE BIDDING

Engineers India Limited (EIL), on behalf of Bharat Petroleum Corporation Limited invites E-bids from eligible bidders for the following works/items:

<table>
<thead>
<tr>
<th>Name of Work</th>
<th>Bidding Document on Website</th>
<th>Bid submission due date and time</th>
</tr>
</thead>
<tbody>
<tr>
<td>REFRIGERATED DOUBLE WALL STORAGE TANK</td>
<td>From 23.08.2016 To 1200 HRS (IST) 22.09.2016</td>
<td>22.09.2016 Up to 1200 Hrs. (IST)</td>
</tr>
<tr>
<td></td>
<td>BIDDING DOCUMENT NO.: AK/A872-030-MA-TN-6001/1001</td>
<td></td>
</tr>
<tr>
<td></td>
<td>BIDDING DOCUMENT NO.: AK/A872-030-KA-MR-5010/1001</td>
<td></td>
</tr>
<tr>
<td>LOADING ARMS (MARINE)</td>
<td>From 29.08.2016 To 1200 HRS (IST) 30.09.2016</td>
<td>30.09.2016 Up to 1200 Hrs. (IST)</td>
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<td></td>
<td>BIDDING DOCUMENT NO.: AK/A872-010-LZ-MR-4500/1002</td>
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</tr>
</tbody>
</table>

Contact Person: DGM (C&P), Telephone No.: +91-124-3802081/2110/2174, E-mail: atul.kumar@eil.co.in, d.chatterjee@eil.co.in, deepak.malik@eil.co.in

The Detailed NIT along with Qualification Criteria and Bidding Document can be viewed/downloaded from any of the given websites: http://tenders.eil.co.in/newtenders, www.bharatpetroleum.in & http://eprocure.gov.in/eprocure/app

Bidders are required to submit their E-bid through the Central Public Procurement Portal http://eprocure.gov.in/eprocure/app only.

All amendments, time extensions, clarifications, etc. will be uploaded in the websites only and will not be published in Newspapers. Bidders should regularly visit website to keep themselves updated.

Dy. General Manager (C&P)
Engineers India Limited, Gurgaon
NOTICE INVITING TENDER (NIT)
FOR DOUBLE WALL REFRIGERATED STORAGE TANK WORKS FOR
LPG IMPORT TERMINAL FACILITIES PROJECT AT HALDIA
OF M/s BPCL
(BIDDING DOCUMENT NO: AK/A872-030-MA-TN-6001/1001)
(INTERNATIONAL COMPETITIVE BIDDING)

E-Tendering

1.0 INTRODUCTION:

1.1 Bharat Petroleum Corporation Ltd. is in the process of establishing a new LPG import terminal Project at Haldia, West Bengal. M/s Engineers India Limited (EIL) has been appointed as Project Management Consultant (PMC) for the project.

1.2 Engineers India Ltd. (EIL) on behalf of M/s Bharat Petroleum Corporation Limited, invites Bids under Single Stage Two Part Bid System for execution of ‘DOUBLE WALL REFRIGERATED STORAGE TANK WORKS’ from eligible bidders with sound technical and commercial capabilities meeting the Bidder Qualification Criteria stated in Cl. 5.0.

2.0 BRIEF SCOPE OF WORK:

2.1 Procurement of materials, construction, fabrication, erection, development of detailed fabrication drawings, inspection, testing, calibration, insulation, painting and supply with Single point responsibility of above ground, flat bottom, vertical, full containment type double wall storage tank (outer tank LTCS & inner tank LTCS) complete with piping, instrumentation, leak detection arrangement and other accessories suitable for following services:

- Refrigerated Liquid Propane
- Refrigerated Liquid Butane
- Refrigerated Liquid LPG

Scope also include providing assistance for chill down, pre-commissioning & commissioning activities, supply of services for carrying out heat gain performances test.

2.2 Broad parameters of Tanks are given below:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Item No./ tank capacity</th>
<th>No. of Tanks</th>
<th>Tank Size</th>
<th>MOC</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Dia. (M)</td>
<td>Ht. (M)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inner</td>
<td>Outer</td>
</tr>
<tr>
<td>1</td>
<td>030-T-001 Capacity: 15000MT</td>
<td>1</td>
<td>43</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>SA 537 Cl.1</td>
<td>SA 537 Cl.1</td>
</tr>
<tr>
<td>2</td>
<td>030-T-002 Capacity: 15000MT</td>
<td>1</td>
<td>43</td>
<td>45</td>
</tr>
</tbody>
</table>

2.3 For detailed scope of works, refer Technical section of the Bidding Document.

3.0 TIME SCHEDULE FOR COMPLETION:

3.1 19 Months from the date of issue of LOA for entire scope of Work (i.e. 16 months for Mechanical Completion plus 3 months for Commissioning).

4.0 SALIENT DETAILS:

| a)       | Bidding Document on Website | From 23.08.2016 to 22.09.2016 (12:00 Hrs IST) |

A872_T-6001-1001_NIT-D_Rev 0
Page 1 of 11
<table>
<thead>
<tr>
<th></th>
<th>Site Visit</th>
<th>:</th>
<th>At 1030 Hrs (IST) on <strong>30.08.2016</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>c)</td>
<td>Last date of Receipt of Bidder’s Queries for Pre-Bid Meeting</td>
<td>:</td>
<td>On <strong>05.09.2016</strong></td>
</tr>
<tr>
<td>d)</td>
<td>Date of Pre Bid Meeting</td>
<td>:</td>
<td>at 1030 Hrs. (IST) on <strong>06.09.2016 (#)</strong></td>
</tr>
<tr>
<td>e)</td>
<td>Last Date and time of Online submission of Bids (Bid Due Date)</td>
<td>:</td>
<td>Upto 1200 Hrs. (IST) on <strong>22.09.2016</strong></td>
</tr>
<tr>
<td>f)</td>
<td>Online Opening of Techno-commercial Unpriced Bid</td>
<td>:</td>
<td>1500 Hrs. (IST) on <strong>22.09.2016 (#)</strong></td>
</tr>
<tr>
<td>g)</td>
<td>Earnest Money Deposit / Bid Security</td>
<td>:</td>
<td><strong>For Foreign Bidder</strong> <strong>For Indian Bidder</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>USD 303,000 (US Dollars Three Hundred Three Thousand only)</td>
</tr>
<tr>
<td>h)</td>
<td>Cost of Bidding Document (Non-Refundable)</td>
<td>:</td>
<td><strong>Not Applicable</strong></td>
</tr>
<tr>
<td>i)</td>
<td>Opening of Priced Bids</td>
<td>:</td>
<td>On date &amp; time to be intimated later</td>
</tr>
</tbody>
</table>

(#) If this date happens to be a declared holiday in EIL Gurgaon, the next working day shall be considered. EIL Office working hours are from 08:30 Hours to 17:00 Hours, from Monday to Friday.

The complete Bidding Document is available on EIL website: http://tenders.eil.co.in/newtenders/, BPCL website: www.bharatpetroleum.in and Govt. Website: http://eprocure.gov.in/cppp/app. Bidders can view / download the document from any one of the websites mentioned above.

All amendments, time extension, clarifications, etc. will be uploaded in the websites only and will not be published in Newspapers. Bidders should regularly visit the above website(s) to keep themselves updated.

Bids are to be submitted only on e-procurement module of the Central Public Procurement Portal (CPP) i.e. http://eprocure.gov.in/cppp/app. Bidder to follow instructions as given in Annexure-I to ITB (E-Tendering Methodology) for registering on the CPP Portal and submitting their bids online on the CPP Portal. It may be noted that the price details are required to be filled & submitted only on the Schedule of Rates (SOR) format downloaded from Govt. e-procurement Portal, during the period the bidding document and its amendment (if any) is available on website.

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.

The Bidding Document is non-transferrable. Bidder shall download the Bidding Document in their own name and submit bid directly.

### 5.0 BIDDER QUALIFICATION CRITERIA (BQC):

Bidder shall fulfill the following Bidder’s Qualification Criteria in order to qualify for the subject work:
5.1 EXPERIENCE CRITERIA (TECHNICAL)

5.1.1 Definition of Bidder: Responsible for quoting the Complete Refrigerated Propane/Butane/LPG DWST package and owning single point overall responsibility for execution & completion of total job as per requirements of bid package.

5.1.2 Bidder on his own must have carried out in last fifteen (15) years procurement, fabrication, erection, development of detailed fabrication drawings, construction, testing of at least one number double wall storage tank of diameter (outer tank) of at least 22.0 meter with inner & outer tanks of LTCS materials/higher metallurgy (or) inner tank metallic (LTCS material/ higher metallurgy) and outer tank pre-stressed concrete along with associated works which shall have completed at least one year of operation.

5.1.3 In case Bidder on his own does not meet the criteria specified in 5.1.2 above in terms of development of detailed fabrication drawings of double wall storage tank but meets the criteria in terms of procurement, fabrication, erection, inspection and testing, he can still be qualified provided:

i) The bidder engages a back up consultant who has the experience of developing detailed fabrication drawing of at least one number double wall storage tank of diameter (outer tank) of at least 22.0 meter with inner & outer tanks of LTCS materials/higher metallurgy (or) inner tank metallic (LTCS material/ higher metallurgy) and outer tank pre-stressed concrete along with associated works which shall have completed at least one year of operation.

ii) In this case, either back up consultant shall prepare the detailed fabrication drawings or fabrication drawings prepared by the bidder shall be vetted & duly approved by the back-up consultant.

iii) The bidder furnishes along with his bid the MOU / Letter of Agreement / Letter of Consent with the proposed back-up consultant and shall not be changed thereafter. This agreement / MOU / Letter of Consent must remain in force at least till the pendency of the contract.

iv) However, bidder shall guarantee the package as Single Point Responsibility Vendor.

5.1.4 In case Bidder on his own does not meet the criteria specified in 5.1.2 above alone, he can still bid as Consortium/ unincorporated joint venture, provided:

i) Consortium/ unincorporated joint venture bid shall comprise of maximum two members (one leader and one member).

ii) Leader of the consortium/ unincorporated joint venture shall meet the technical criteria specified in 5.1.2 above. In case, leader doesn't meet the criteria specified in 5.1.2 with respect to development of detailed fabrication drawings of double wall tank same can be fulfilled by any consortium/ unincorporated joint venture member.

iii) The division in scope of work between consortium/ unincorporated joint venture member shall be commensurate with their past experience. The overall project management shall be performed by the leader. The leader and the members of consortium/ unincorporated joint venture shall assume responsibility jointly and severally and shall submit agreement/ memorandum of understanding (MOU) along with the bid clearly defining the scope and responsibility of each member including the leader. This agreement/ MOU must remain in force at least till the pendency of the contract.

iv) The consortium/ unincorporated joint venture leader and the distribution of work shall be identified and submitted along with the bid and shall not be changed thereafter.
5.1.5 Bidder who do not meet the criteria specified in 5.1.2 above on their own, can still be qualified provided:

i) Bidder must have executed in last fifteen years at least one Engineering, Procurement & Construction work for tankages or process unit of Hydrocarbon \ Refinery \ Petrochemical \ Fertilizer \ Chemical \ Gas processing plants \ Tankage Terminals which shall have completed one year of operation.

ii) The Bidder engages a sub-contractor who meets the criteria specified in 5.1.2 above.

In case, selected Sub contractor is not able to meet criteria in 5.1.2 above in terms of development of detailed fabrication drawings only, bidder can additionally engage a backup consultant who meets criteria specified in 5.1.3 above.

iii) The bidder furnishes along with his bid the MOU / Letter of Agreement / Letter of Consent with the proposed sub-contractor and back up consultant and shall not be changed thereafter. This agreement / MOU / Letter of Consent must remain in force at least till the pendency of the contract.

iv) However, bidder shall guarantee the package as Single Point Responsibility Vendor.

5.1.6 The time period mentioned in above clauses of 5.1.2 shall be reckoned from the bid due date.

5.2 EXPERIENCE CRITERIA (COMMERCIAL)

5.2.1 The Bidder who seek qualification should have executed and completed in the previous fifteen years reckoned from the due date of submission of bids as least:

One similar work of value not less than Rs. 82 Crore (Rupees Eighty Two Crore only) or USD 12,420,000 (US Dollar Twelve Million Four Hundred Twenty Thousand only)

OR

Two similar works each of value not less than Rs. 54.65 Crore (Rupees Fifty Four Crore Sixty Five Lakh only) or USD 8,280,000 (US Dollar Eight Million Two Hundred Eighty Thousand only)

OR

Three similar works each of value not less than Rs. 41 Crore (Rupees Forty One Crore only) or USD 6,210,000 (US Dollar Six Million Two Hundred Ten Thousand only)

“Similar work” shall mean any work involving tankages OR double wall storage tankages OR process unit of Hydrocarbon/ Refinery/ Petrochemical/ Fertilizer /Chemical/ Gas Processing Plants/Tankage Terminals.

5.2.2 In case of bids from consortium/ unincorporated Joint Venture, leader shall meet the Commercial Experience criteria.

5.3 FINANCIAL CRITERIA

5.3.1 Annual turnover criteria

5.3.1.1 The average annual turnover of Bidder in last 3 (three) financial years, up to the bid due date shall not be less than:

<table>
<thead>
<tr>
<th>For Foreign Bidder</th>
<th>For Indian Bidder</th>
</tr>
</thead>
<tbody>
<tr>
<td>USD 10,460,000.00</td>
<td>INR 69,03,40,000.00</td>
</tr>
<tr>
<td>(US Dollars Ten Million Four Hundred Sixty Thousand only)</td>
<td>(Indian Rupees Sixty Nine Crore Three lakh Forty Thousand only)</td>
</tr>
</tbody>
</table>

Turnover shall be calculated including Excise Duty but excluding other incomes.

5.3.1.2 In case of bids from consortium/ unincorporated Joint Venture, leader shall meet the annual turnover criteria.

5.3.2 Networth Criteria
5.3.2.1 The financial net worth of the Bidder as per the latest audited annual report shall be positive.
Networth means paid up share capital, Share Application Money pending allotment* and reserves# less accumulated losses and deferred expenditure to the extent not written off.
# Reserves to be considered for the purpose of networth 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.
Accordingly, the definition of Networth shall be as follows:

| Paid up share capital | XXXX |
| Add : Share Application Money pending allotted | XXX |
| Add : Reserves (As defined Above) | XXXX |
| Less : Accumulated Losses | XX |
| Less : Deferred Revenue Expenditure to the extent not written off | |
| Networth | XXXX |

5.3.2.2 The net worth of each of the members of the consortium/ unincorporated Joint Venture, shall be positive as per the immediate preceding year’s audited financial statements.

5.3.3 **Working Capital Criteria**

5.3.3.1 Working Capital of the Bidder as per the immediate preceding year’s audited annual financial results should not be less than the value as mentioned in the table below:

<table>
<thead>
<tr>
<th>For Foreign Bidder</th>
<th>For Indian Bidder</th>
</tr>
</thead>
<tbody>
<tr>
<td>USD 1,307,000.00</td>
<td>INR 8,62,90,000.00</td>
</tr>
<tr>
<td>(US Dollars One Million Three Hundred Seven Thousand only)</td>
<td>(Indian Rupees Eight Crore Sixty Two Lakh Ninety Thousand only)</td>
</tr>
</tbody>
</table>

Working Capital shall be Current Assets minus Current Liabilities.

5.3.3.2 In case of bids from consortium/ unincorporated Joint Venture, leader shall meet the working capital criteria.

5.4 **CONSORTIUM BIDS**

5.4.1 Bids from Consortium comprising of maximum two members (one Leader and one member) are also acceptable subject to meeting Bidder’s Qualification criteria.

5.4.2 Member of the Consortium shall give Power of Attorney (POA) to the Leader.

5.4.3 All Members firms/ companies of the Unincorporated Joint Venture/ Consortium shall be jointly and severally bound to the employer for the fulfilment of the terms of contact and shall authorize the Lead Member of the Joint Venture or consortium with authority to bind the joint venture or consortium, through Power of Attorney given jointly by member to Leader.

**Notes:-**

(i) In case a bidder is having wholly owned subsidiaries but only a single consolidated annual report is prepared and audited which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor/ chartered accountant of the bidder certifying that separate annual report of bidder (without the financial data of subsidiaries) is not prepared and audited.

(ii) Further, in case a bidder is a subsidiary company and separate annual report of the bidder is not published, but only a consolidated annual report of the Parent Company
is available, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor/ chartered accountant of the bidder certifying that separate annual report of bidder is not prepared and audited.

(iii) In case the financial year closing date is within 9 months of bid due date and audited annual report of immediate preceding financial year is not available, Bidder has the option to submit the financial details of the three previous years immediately prior to the last financial year. Otherwise, it is compulsory to submit the financial details of the immediate three preceding financial years.

Example, In case, audited annual report of immediate preceding financial year (year ending 31st March) is not available and where bid closing date is up to 31st December, the financial details of the three previous years immediately prior to the last financial year may be submitted. However, in case the bid closing date is after 31st December, it is compulsory to submit the financial details of the immediate three preceding financial years only.

(iv) For Indian Bidder, Order value(s) in multiple currencies shall be converted to equivalent INR at the exchange rate of RBI reference as on the date of award of such proposed qualifying work(s). Similarly for Foreign Bidder, Order value(s), in multiple currencies shall be converted at the exchange rate of RBI reference to equivalent USD as on date of award of such proposed qualifying work(s).

(v) In case of Foreign Bidders, if Audited Financial Report is in currency other than US Dollars, the respective/desired figure for calculation of above details shall be converted into equivalent US Dollars considering the conversion factor indicated in Bidder’s Audited Financial Report. In case the same is not indicated, the conversion rate of USD as on last date of Bidder’s financial year shall be considered based on RBI reference Rates.

5.5 DOCUMENTS AND DATA REQUIRED WITH BID

The bidder shall furnish documentary evidence as below:

5.5.1 Bidder shall complete and submit the Experience Record Proforma as per format Annexure-I, II & III attached with NIT (along with supporting documents mentioned) to establish that the bidder meets the Bidder Qualification Criteria as per Clause No. 5.1 of this document.

5.5.2 For Experience Criteria (Commercial):

5.5.2.1 Bidder shall furnish documentary evidence i.e. copies of work orders/ relevant pages of contract/SOR, completion certificate, from the Owner/ Consultant of work executed in the first instance itself, in support of their fulfilling the qualification criteria. Accordingly, only such past experience (s) shall be considered for qualification, details of which are provided in the bid by the bidder and subsequently no additional past experience (PTR) shall be sought from the bidder.

5.5.2.2 In the event the value of the qualifying work(s) cannot be ascertained from the Work Order/Completion Certificate submitted by Bidder, Copy of Schedule of Rates (SOR) as per Contract, relevant pages of Contracts, Copy of relevant pages of Final Bill certified by Owner for establishing requirement of BQC or written letter from their Client specifying the nature of work with quantities and values can be submitted for qualification.

5.5.2.3 Experience of bidding entity shall only be considered. A job executed by a bidder for its own plant/projects can't be considered as experience for the purpose of meeting requirement of BQC of the Bidding Document. However, jobs executed for Subsidiary/ Fellow subsidiary / Holding company will be considered as experience for the purpose of meeting BQC 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/ Fellow subsidiary / Holding company. Such bidders to submit these
documents in addition to the documents specified in the Bidding Document to meet BQC.

5.5.2.4 A job completed by a bidder as a sub-contractor shall be considered for the purpose of meeting the experience criteria of BQC subject to submission of following documents in support of meeting the “Bidder Qualification Criteria”:

a) Copy of work order along with SOR issued by main contractor.

b) Copies of Completion Certificates from the end User/ Owner and also from the main Contractor. The Completion Certificates shall have details like work order no. /date, brief scope of work, ordered & executed value of the job, completion date etc. as required for qualification of the bidder inline with BQC.

5.5.3 For Financial Criteria:

5.5.3.1 Bidder shall furnish documentary evidence in the form of Annual Report/ Financial Statements- Balance sheets and Profit and Loss Accounts statements of the preceding 3 (Three) financial years, along with the Bid to establish Bidder’s conformance to Financial Criteria mentioned in Cl. 5.3 above.

5.5.4 All documents furnished by the bidder in support of meeting the experience and financial criteria (5.1, 5.2 & 5.3 above) of BQC as per NIT shall be submitted in a separate section/booklet along with their offer. This section/booklet shall be titled as “Documentation against Bidder Qualification Criteria (Experience (Commercial & Technical) & Financial)” with proper index and page numbering. Refer Instructions to Bidders (ITB) for details.

5.5.5 All documents furnished by the bidder in support of meeting the Experience and Financial criteria of BQC shall be:

EITHER

i. Duly certified by Statutory Auditors of the bidder or practicing Chartered Accountant (not being an employee or a Director or not having any interest in the bidder’s company/firm) where audited accounts are not mandatory as per law.

OR

ii. Duly notarized by any Notary Public in the bidder’s country or certified true copies duly signed, dated and stamped by an official authorized for this purpose in Indian Embassy/ High Commission in Bidder’s country

OR

iii. duly certified by reputed Third Party Inspection Agencies (BV/ DNV/TUV/ PDIL/ CEIL/ LRS/ IRS/ MECON/ RITES/ MOODY)

OR

iv. Self-certified documents in original from any one out of CEO or CFO or Company Secretary of the bidder (Limited company only) along with Self-Certification as per Annexure-IV of NIT. (This option shall not be applicable to Proprietorship/ Partnership firms)

5.5.6 With regards to financial documents, in case Bidder submits bound original printed booklet of complete published and audited annual financial statements including balance sheet, profit & loss accounts and all other schedules for the preceding three financial years, the same shall be considered without certification of Statutory Auditor/Notarization of Notary Public.

However, in case the bidder submits either a photo copy of complete audited financial statement or a translated copy of the published financial statements, the same shall be certified either by statutory auditor or Notary Public, in original as per 5.4.5 above.

5.5.7 In the event of submission of any document/ certificate by the bidder in language other than English, the bidder shall get the same translated into English and submit
the same after getting the translation duly authenticated by local Chamber of Commerce of bidder's country or Indian Embassy in bidder country or their Embassy in India.

5.5.8 Bidders should have valid PF/VAT/Service Tax registrations and PAN and shall submit copy of the certificates along with the bid.

5.5.9 Any additional documents if deemed necessary to establish the qualifying requirements may be submitted by the Bidder.

5.5.10 Submission of authenticated documents is the prime responsibility of the Bidder.

5.6 BPCL/EIL reserves the right of getting the document cross verified, at their discretion from the document issuing authority.

5.7 BPCL/EIL reserves the right to disqualify any bidder during the tendering process by evaluating their current financial condition and performance in jobs under executing by them as per available in-hose data/ information.

5.8 Failure to meet the above Qualification Criteria will render the Bid to be summarily rejected. Therefore, the bidder shall in his own interest furnish complete documentary evidence in the first instance itself along with their bids, in support of their fulfilling the Qualification Criteria as given above.

5.9 For details regarding submission of bids, refer Instructions to Bidder (ITB).

6.0 SITE VISIT & PRE-BID MEETING

6.1 Bidders are invited for site visit as per the date mentioned in Cl. 4.0 b) above. Details of contact person for Site visit is:

Shri Sunil K Dhakate,  
Sr. Manager Construction (E&P),  
Bharat Petroleum Corporation Limited,  
Haldia Coastal Installation,  
Patkhali, Durgachak,  
Haldia, East Medinipur,  
West Bengal-721602  
Mobile No. 09799936500

6.2 The Bidders are requested to attend a pre-bid meeting at 1st Floor, Tower-I, EIL R&D Centre, Sector-16, Gurgaon, India, as per the date mentioned in Cl. 4.0 d) above.

6.3 The bidder may send their queries, if any, on Bidding Document by courier/e-mail to reach EIL prior to Pre-bid meeting. These queries shall be replied during the Pre-bid meeting.

6.4 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 bid documents and submitted their intent to quote.

7.0 SUBMISSION OF BIDS & VALIDITY

7.1 Bids are required to be submitted only through CPP Portal (URL: http://eprocure.gov.in/cppc/app) using valid digital signature Certificates. Bidders are required to register themselves on the Central Public Procurement Portal (URL: http://eprocure.gov.in/cppc/app). No registration fee would be charged from the bidders. Detailed Instructions in this regard are provided as Annexure-I to Instructions to Bidder (ITB) section of the Bidding Document.

7.2 Bidders in their own interest are requested to register on the CPP Portal and upload/submit their bid well in time. Bidder will be responsible for any delay due to other issues.

7.3 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. Bids sent through Fax/E-mail/Courier/Computer floppy/CD/Pen Drive shall not be accepted.

7.4 Bidder to refer 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 the CPP Portal Help Desk (Contact No. +91-120-4200462, +91-120-4001002, +91-8826246593, 1800-3070-2232 or Mobile Nos. +91-7878007972/ +91-7878007973).

7.5 Validity of bid shall be 6 (Six) months from the final due date of opening of Techno-commercial (Un-priced) Bids.

7.6 Earnest Money Deposit, Integrity Pact, Power of Attorney, BQC documents and any other document required to be submitted in original shall be submitted in sealed envelopes to the below mentioned address within 7 calendar days from the date of opening of unpriced bids. Scanned copy of the same to be uploaded on e-procurement Portal:

Kind Attention: Mr. Atul Kumar-DGM (C&P),
1st Floor, Tower-I,
Engineers India Limited,
Sector-16 (On NH-8), Gurgaon
Haryana-122001

8.0 **EARNEST MONEY DEPOSIT (EMD)**

8.1 Earnest Money Deposit (EMD) as mentioned above shall be submitted within the Bid Due Date. EMD shall be submitted in the form of crossed Demand Draft / Pay Order / Banker’s Cheque payable at Noida or Bank Guarantee (as per Proforma provided in the GCC) in favour of “Bharat Petroleum Corporation Limited”. Earnest Money Deposit (EMD) shall be valid for a period of 9 (Nine) months from the due date of opening of Techno-commercial Bids and shall be submitted from any Indian scheduled bank which includes Indian branch of foreign bank recognized as scheduled bank by RBI. Foreign Bidders may also submit BG from an international bank of repute having a branch in India or having correspondent banking relationship with an Indian scheduled bank, in which case the BG shall be countersigned by their Indian Branch or by any Scheduled Indian Bank.

Exemption of Bidding Document fee and EMD will be applicable for Micro and Small Enterprises (MSEs) registered with National Small Industries Corporation (NSIC) as per provision mentioned in para 8.4 below.

8.2 In case of a consortium bid, the Bid Security may be submitted by the Leader or member, on behalf of consortium as follows:

a) Foreign consortium (i.e., consortium formed by foreign companies only)- US $
b) Indian consortium (i.e., consortium formed by Indian companies only)- Indian Rupees
c) Consortium bid involving one Indian and one foreign entity- US $ or Indian Rupees.

8.3 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-Tendering website along with e-Bid. EMD in original shall be submitted in a sealed envelope titled “Earnest Money Deposit for Bidding Document No. AK/A872-030-MA-TN-6001/1001”. Bidder must upload the scanned copy of EMD (in the prescribed format) on e-Tendering website 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-tendering website by the bid due date & time, such bid shall not be considered for evaluation.

8.4 If the Bidder is unable to submit original EMD within the due date and time for Bid submission, he may submit the same within 7 calendar days from the date of unpriced bid opening, provided copy of the same have been uploaded on E-Tendering website.
In case the Bidder fails to submit the EMD in original within 7 calendar days, his bid shall be rejected, irrespective of their status / ranking in tender and notwithstanding the fact that a copy of EMD was uploaded earlier by the Bidder.

8.5 EMD exemption will be applicable for Micro and Small Enterprises (MSEs) registered with District Industries Centres (DIC) or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation (NSIC) or Directorate of Handicraft and Handloom or MSEs having Udyog Aadhaar Memorandum or any other body specified by Ministry of Micro, Small and Medium Enterprises. On opening the un-priced bid, the certificate will be verified for registration. If the bidder meets this requirement, their bid will be processed further. If not, the bidder will be asked to submit EMD. In case the bidder does not submit the EMD within 07 calendar days of EIL intimation, then their bid shall be rejected. The certificate shall be valid as on date of opening of unpriced bid.

8.6 Documents to be submitted by MSEs along with un-priced bid:
   a) Documentary evidence that the bidder is a Micro or Small Enterprises registered with District Industries Centres or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation or Directorate of Handicrafts and Handloom or having Udyog Aadhaar Memorandum or any other body specified by Ministry of Micro, Small and Medium Enterprises.
   b) The above document submitted by the bidder shall be duly authenticated as per Clause No. 5.5.5 above.
   c) If the bidder does not provide the appropriate document or any evidence to substantiate the above, then it will be presumed that they do not qualify for any preference admissible in the Public Procurement Policy, 2012.

8.7 There will be no waiver of EMD for Public Sector Undertaking of Central/State Government Undertakings.

8.8 Details of beneficiary for issuance of bank guarantees
   Beneficiary: BHARAT PETROLEUM CORPORATION LIMITED
   Bank Details: Standard Chartered Bank,
   Branch Name: Barakhamba Road
   Narain Manzil, 23, Barakhamba Road
   MICR No.: 110036002
   Account no: 52205015073
   IFSC code (For RTGS): SCBL0036020
   IFSC code (For NEFT): SCBL0036020
   BPCL Income Tax PAN Number: AAACB2902M

9.0 GENERAL

9.1 BPCL/EIL reserves the right to carry out capacity & capability assessment of the bidder using in-house information and past performance.

9.2 If the bidder / bidder’s proposed subcontractor are on Holiday/Negative list of OWNER or EIL or MOP & NG or other O&I PSE on due date of submission of bid/ during the process of evaluation of the bids, the offers of such bidder(s) 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

9.3 BPCL/EIL will not be responsible or liable for cost incurred in preparation & submission of bids, regardless of the conduct or outcome of the bidding process.

9.4 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.
9.5 Canvassing in any form by the Bidder or by any other agency on their behalf may lead to disqualification of their Bid.

9.6 Unsolicited clarifications to the offer and / or change in the prices during the validity period would render the bid liable for rejection.

9.7 Bidder shall not be under liquidation, court receivership or similar proceeding.

9.8 Integrity Pact, duly signed & stamped on each page, shall be submitted with Techno-commercial bid, failing which the bid shall not be considered for further evaluation.

9.9 For detailed specifications, terms and conditions and other details, refer complete Bidding Document.

9.10 Techno-commercial part of the Bids shall be opened at 1500 Hrs. (IST) on the due date for submission of Bids. Time and date of opening of Price Bids shall be notified to the qualified and acceptable bidders at a later date.

Bidders may view the Bid opening statement through CPP Portal at http://eprocure.gov.in/cppp/app after conclusion of Unpriced Bid Opening by Owner /EIL or may witness the bid opening in EIL Office, Gurgaon

9.11 Total works shall be awarded based on total lowest (L1) evaluated price as per the provisions of the Bidding Document.

9.12 Bids received after stipulated bid due date and time i.e. late bids due to any reasons whatsoever will not be considered.

9.13 OWNER/EIL reserves the right to reject any or all the bids received or annul the bidding process at any time without assigning any reason whatsoever.

9.14 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. Subject to meeting terms and conditions stated in the tender document including but not limiting to prequalification criteria, in present tender, as the tendered quantity cannot be split due to nature of job, MSE shall be allowed for supply and installation of total tendered quantity provided their quoted price is within a price band of L1 + 15 percent and they match the L1 price. In case of more than one such MSEs are in the price band of L1 + 15%, then L1 MSE will be offered will be offered first and if matches the L1 price, MSE shall be allowed for supply and installation of total tendered quantity. If L1 MSE does not matches L1 price, other MSES falling in range of L1+15% band will be offered in order of L2 MSE, L3 MSE etc. until they match L1 price. No separate preference will be given to MSE owned by Scheduled Caste & Scheduled Tribe entrepreneurs over MSE owned by general person as quantity cannot be split in this tender.

9.15 Clarifications if any, can be obtained (on working days, between 09:00 hrs to 16:00 hrs) through: Telephone Nos.: +91-124-380 2081 / 2110 / 2174 and/or E-mail: atul.kumar@eil.co.in, d.chatterjee@eil.co.in, deepak.malik@eil.co.in

Queries / Clarifications relating to the CPP Portal / online bid submission process can be obtained from the 24 X 7 CPP Portal helpdesk at Contact No. +91-120-4200462, +91-120-4001002, +91-8826246593, 1800-3070-2232 or Mobile Nos. +91-7878007972/ +91-7878007973 and E-mail: support.nic@eil.co.in

Dy. General Manager(C&P)
Engineers India Limited, Gurgaon
## FORMAT FOR PAST EXPERIENCE OF BIDDER/ BACKUP CONSULTANT/SUB CONTRACTOR (For Sl. No. 5.1.2, 5.1.3 & 5.1.5 of Technical BQC)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Tank Description</th>
<th>Tank Size</th>
<th>Client</th>
<th>Capacity</th>
<th>MOC</th>
<th>Design Temp.</th>
<th>Year of completion</th>
<th>Year of Commissioning/Owner Confirmation of one year operation</th>
<th><strong>Owner Certificate/ Inspection Release Note/ Hydrotest Certificate</strong> enclosed</th>
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<td>Dia (m)</td>
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### NOTES

1. This format duly filled-in, stamped and signed shall be submitted along with the Bid.
2. Since the information requested in this format shall be utilized to assess the Bidder’s capability to execute the subject Project, it would be in the interest of the Bidder to include only those references which are relevant for Bidder Qualification Criteria. The Bidder shall also ensure that all information asked for is furnished and the same is correct and complete in all respects. **Incorrect information furnished in this format shall render the bid/order liable for rejection at any stage of evaluation / work execution, at the risk and cost of the bidder.**
3. For the referred installations, the Bidder shall indicate the name of the User’s contact person (along with his address, telephone no., fax no., e-mail id etc.) who may be contacted by the Owner / EIL, if felt necessary.
   **Bidder to ensure anyone of these documents along with any additional document required to support qualification shall be enclosed as documentary evidence.**
### FORMAT FOR PAST EXPERIENCE OF LEADER AND MEMBER OF CONSORTIUM/UNINCORPORATED JOINT VENTURE
(For Sl. No. 5.1.4 of Technical BQC)

<table>
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<th>Sl. No.</th>
<th>Tank Description</th>
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<th>Client</th>
<th>Capacity</th>
<th>MOC</th>
<th>Design Temp.</th>
<th>Year of completion</th>
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### NOTES

1. This format duly filled-in, stamped and signed shall be submitted along with the Bid.
2. Since the information requested in this format shall be utilized to assess the Bidder’s capability to execute the subject Project, it would be in the interest of the Bidder to include only those references which are relevant for Bidder Qualification Criteria. The Bidder shall also ensure that all information asked for is furnished and the same is correct and complete in all respects. **Incorrect information furnished in this format shall render the bid/order liable for rejection at any stage of evaluation/work execution, at the risk and cost of the bidder.**
3. For the referred installations, the Bidder shall indicate the name of the User’s contact person (along with his address, telephone no., fax no., e-mail id etc.) who may be contacted by the Owner / EIL, if felt necessary.

**Bidder to ensure anyone of these documents along with any additional document required to support qualification shall be enclosed as documentary evidence.**
FORMAT FOR PAST EXPERIENCE OF EPC BIDDER (For Sl. No. 5.1.5 of Technical BQC)

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Package Name</th>
<th>Client</th>
<th>Brief Scope of Package (Design, Detailed engineering, Procurement, Construction etc.)</th>
<th>Year of Completion</th>
<th>Year of Commissioning/Owner Confirmation of one year operation</th>
<th>** Owner Certificate / Completion Certificate enclosed</th>
</tr>
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**NOTES**

1. This format shall be duly filled-in, stamped and signed by bidder and shall be submitted along with the Bid. In case backup consultant and/or subcontractor is engaged by bidder, duly filled in format shall also be signed and stamped by backup consultant/sub-contractor, as applicable.

2. Since the information requested in this format shall be utilized to assess the Bidder’s capability to execute the subject Project, it would be in the interest of the Bidder to include only those references which are relevant for Bidder Qualification Criteria. The Bidder shall also ensure that all information asked for is furnished and the same is correct and complete in all respects. **Incorrect information furnished in this format shall render the bid/order liable for rejection at any stage of evaluation/work execution, at the risk and cost of the bidder.**

3. For the referred installations, the Bidder shall indicate the name of the User’s contact person (along with his address, telephone no., fax no., e-mail id etc.) who may be contacted by the Owner / EIL, if felt necessary.

**Bidder to ensure anyone of these documents along with any additional document required to support qualification shall be enclosed as documentary evidence.**
SELF-CERTIFICATION

I, _____________________ S/o/D/o of _________________________________, working as CEO/CFO/Company Secretary (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.

It is certified that none of the documents are false/forged or fabricated. All the documents submitted has been made having 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 and (ii) provisions of bidding conditions 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.

DECLARATION

I, _____________________ S/o/D/o of _________________________________, working as CEO/CFO/Company Secretary (indicate, as applicable) of the Company _________________________________ having its registered office at ___________________________________________________________ with reference to our bid _________________________________ against your Enquiry document ________________________________________, 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 provisions of the bidding documents including EIL/Owner’s right to put our company on Holiday/Black list for future business with EIL/Owner.

Specimen Signature of authorized representative

Signature

Name & Designation (CEO or CFO or Company Secretary)
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A GENERAL

1.0 SCOPE OF BID

1.1 In connection with the Invitation for Bids/ Letter Inviting Bid, Engineers India Limited invites e-Bid(s) on behalf of Bharat Petroleum Corporation Limited under single stage two bid system, for the entire scope covered under the Bidding Document (hereinafter for the purpose of these instructions collectively referred to as the “WORKS” as specified in Bid Data Sheet (BDS)).

1.2 Throughout the Bidding Document:

(a) EIL means Engineers India Limited, a company incorporated under the Companies Act, 1956 having its registered office at 1, Bhikaiji Cama Place, R.K Puram, New Delhi-110066 (INDIA).

(b) except where the context requires otherwise, words indicating the singular also include the plural and words indicating the plural also include the singular; and

(c) “day” means calendar day.

(d) The words “un-incorporated Joint Venture (JV)” and “Consortium ” have the same meaning

2.0 CORRUPT AND FRAUDULENT PRACTICES

2.1 OWNER/EIL requires compliance with its policy in regard to corrupt and fraudulent practices as per the provisions set forth in Special Condition of Contract (SCC).

3.0 ELIGIBLE BIDDERS

3.1 A bidder may be a firm or a company, who, have been issued the Bidding Document on Limited Competitive Basis or/and intends to submit Bid, in response to Invitation for Bids (IFB) on Open Competitive basis.

3.2 The bidders who are on holiday/negative/suspension/banning list of OWNER or EIL or MOP & NG or other oil PSE 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. Further, in case of a consortium, if any of the member(s) of consortium is on holiday/negative/suspension/banning list of OWNER or EIL or MOP & NG or other oil PSE on due date of submission of bid/ during the process of evaluation of the bids, the offers of such consortium shall not be considered for bid opening/evaluation/Award.

3.3 In case of limited competitive bidding, the bidding is open only to the bidders to whom Bidding Document has been issued.
B CONTENTS OF BIDDING DOCUMENT

4.0 BIDDING DOCUMENT

4.1 The Bidding Document shall in general consist of the following and should be read in conjunction with any amendment issued in accordance with ITB Clause No. 6.0 below.

- Invitation for Bid (IFB)/ Letter Inviting Bid (LIB).
- Instructions to Bidders and its attachments.
- Bid Data Sheet
- Bidding Forms
- General Conditions of Contract (GCC).
- Special Conditions of Contract (SCC) and its Annexure.
- Schedule of Rates (SOR)/ Schedule of Prices (SOP).
- Technical Specifications / Standards.
- Drawings, if any

4.2 Although all the details presented in this Bidding Document have been compiled with reasonable care, the bidder is expected to examine the Bidding Document, including all instructions, forms, terms, specifications and drawings in the Bidding Document and it includes all the documents as per Table of Contents. In case of any ambiguity or incompleteness, the bidder must bring it to the attention of EIL immediately and prior to submission of Bid.

4.3 Bidding document once issued in case of limited competitive bidding is non-transferable. However, in case of Open Competitive Bidding, since the Bidding Document is available for free downloading on the portal, any bidder may submit the Bid and the same shall be evaluated in line with the provisions of the Bidding Document.

5.0 CLARIFICATION OF BIDDING DOCUMENT, PRE-BID MEETING & SITE VISIT

5.1 Bidder's authorized representative(s) shall attend the pre bid meeting on the prescribed day at the given venue specified in IFB/ LIB. During the pre bid meeting, all the technical and commercial issues shall be discussed and concluded to ensure that the bid received subsequent to pre bid meeting shall be without any deviations to terms and conditions. Hence, bidders shall treat the pre bid meeting as utmost important and depute competent & senior person capable of taking on the spot decision to sort out all the technical and commercial issues.

However, in case any bidder does not attend the pre bid meeting, it shall be understood that the bidder has a clear understanding of the scope, terms & conditions of the bidding document and does not have any comments/ deviations to the requirements of the bidding document.
In order to ensure fruitful discussions during pre bid meeting, the bidder is requested to submit any queries/clarification/information pertaining to Bidding document in writing delivered by hand or by e-mail in the format provided in Bidding Forms so as to reach two days prior to Pre-bid meeting. These queries shall be replied during pre-bid meeting. The editable soft copies of the queries shall also be e-mailed to concerned persons specified in BDS, to enable EIL to prepare replies to the queries in the same format expeditiously.

The bidders are required to participate in the pre-bid meeting after going through the entire bidding document alongwith BQC. Bidder shall come with all technical and commercial points on which they need clarifications and also to ensure that they possess all the supporting documentation for meeting the BQC. In case of any doubt, they may discuss the same during the meeting to avoid any techno-commercial clarifications/discussions post bid.

Replies to the pre-bid queries will be uploaded in EIL website http://tenders.eil.co.in as expeditiously as possible. After pre-bid meeting, no further queries will be entertained from the bidders. The response of EIL shall not form part of the Bidding Document unless issued as an Addendum/Amendment.

Any modification of the Bidding Document, which may become necessary as a result of the pre-bid discussion, shall be intimated to all bidders through the issue of an Addendum/Amendment.

Based on the pre-bid discussions, no-deviation form/techno-commercial compliance shall be signed and submitted by the bidders as part of their offer. After pre-bid meeting, no deviation shall be accepted. Bidder in their own interest shall submit bids fully complying to bidding document requirements and OWNER/EIL shall reserve the right to proceed with the available compliant bids for evaluation without raising any technical/commercial queries.

Technical/ Commercial queries (TQ/CQ) shall not be issued once the bid have been opened. However, wherever CQ/ TQ are unavoidable, the same shall be raised only once and the cut-off date given for CQ/ TQ replies shall be adhered to. Offers shall be evaluated based on the information available upto cut-off date for CQ/ TQ replies. Bidder shall not submit any Price against TQ/ CQ raised unless specifically sought in writing.

Bidder is advised to visit and examine the Project Site and its surroundings and obtain for itself on its own responsibility all information that may be necessary for preparing the bid and entering into a contract for execution of the Works. All costs towards the same including the cost of visiting the Site shall be at the bidder's own expense.

Bidder and any of its personnel will be granted permission by OWNER/EIL to enter upon its premises and lands/ Project Site for the purpose of such visit, but only upon the express condition that the bidder and its personnel will relieve and indemnify OWNER/EIL and its personnel from and against all liability in respect thereof, and will be responsible for death or personal injury, loss of or damage to property, and any other
loss, damage, costs, and expenses incurred as a result of the inspection. **Bidder shall refer BDS for schedule and contact details related to site visit.**

**6.0 AMENDMENT OF BIDDING DOCUMENT**

6.1 At any time prior to the deadline for submission of bids, EIL may, for any reason whether at its own initiative or in response to the clarification requested by the prospective bidder(s), issue amendment in the form of Amendment/ Addendum.

6.2 Any addendum issued shall be part of the Bidding Documents and shall be uploaded on EIL website [http://tenders.eil.co.in](http://tenders.eil.co.in) /Government website [http://eprocure.gov.in/cppp](http://eprocure.gov.in/cppp).

6.3 To give bidders reasonable time in which to take an addendum into account in preparing their bids, EIL may extend the deadline for the submission of bids, pursuant to Clause 21.3 of ITB.

6.4 EIL may also for any reason issue amendment subsequent to receiving the bids. Any amendment thus issued shall become part of Bidding Document. Bidder shall follow the instructions issued along with Amendment with regard to submission of impact on quoted price / revised price, if any.

**7.0 ACKNOWLEDGEMENT & CONFIRMATION**

7.1 Within 3 days of downloading of Bidding Document, bidder shall acknowledge and confirm his intention to bid for the tendered work on EIL website [http://tenders.eil.co.in](http://tenders.eil.co.in).

**C PREPARATION OF BIDS**

**8.0 COST OF BIDDING**

8.1 Bidder shall bear all costs associated with the preparation and submission of its Bid, and OWNER/EIL shall not be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process.

**9.0 LANGUAGE OF BID**

9.1 The Bid, as well as all correspondence and documents relating to the bid exchanged by the bidder and EIL, shall be in the English language. Supporting documents and printed literature that are part of the Bid may be in another language provided they are accompanied by an accurate translation of the relevant passages in the English language, in which case, for purposes of interpretation of the Bid, such translation shall govern.

9.2 In the event of submission of any document/ certificate by the bidder in a language other than English, the bidder shall get the same translated into English and submit the same after getting the translation duly authenticated by local Chamber of Commerce of bidder’s country or Indian embassy in bidder’s country or their embassy in India.
10.0 DOCUMENTS COMPRISING THE BID

Electronic Bids (e-bid) in two parts i.e. PART-I (Techno-commercial part) & PART-II (Priced part) as detailed below shall be submitted in e-tendering portal in accordance with the instructions and terms & conditions enclosed with the Bidding Document.

10.1.1 PART - I - TECHNO-COMMERCIAL/ UNPRICED BID

(a) Bid forwarding letter;

(b) Table of Contents of the Bidding Document and Amendment/addendum (if any) duly signed and stamped by the bidder in token of having read all parts of the Bidding Document and having accepted and considered the same in preparing and submitting the Bid;

(c) Scanned copy of Bid Security as per Clause 10.1.2 of ITB (to be uploaded in “FEE FOLDER” in e-tendering portal).

(d) Scanned copy of documents submitted in original as per Clause 10.1.2 a) of ITB ;

(e) In case of Invitation for Bids, Scanned Copy of Power of Attorney in favour of person (s) digitally signing the bid to establish that such person (s) is/are authorised to sign the bid on behalf of the bidder and any consequence resulting due to such signing shall be binding on the bidder;

(f) In case of bids submitted by a JV, if permitted in BDS, shall include a copy of the Joint Venture Agreement entered into by all members;

(g) Bid Form & Information about bidder in accordance with relevant forms provided in Bidding Forms;

(h) Complete Audited Annual Financial Year Report including auditor report, Balance Sheet, Profit & Loss Account Statement and all other schedules for the preceding three financial year;

(i) Past experience along with details and supporting documentation as called for in the Bidder qualification criteria (BQC);

(j) Copies of documents defining constitution or legal status, place of registration and principal place of business of the Company.

Organization details

- In case of a proprietorship firm, the name and address of proprietor, and certified copy of Bank Account Details.

- In case bidder is a partnership firm, certified copy of the partnership deed.

- In case of company (whether private or public), certified copy of the ‘Certificate of Incorporation’ together with certified copy of Memorandum/Articles of Association

(k) Compliance to Bid requirement
(l) deleted

(m) Bank Mandate Form with cancelled cheque duly signed and stamped with the Banker's certification as per relevant form(s) provided in Bidding token of Forms;

(n) Unpriced copy (without price) of Schedule of Rates/Prices, in accordance with the instructions mentioned therein.;

(o) Self certificate that the bidder is not under Liquidation, Court receivership or similar proceedings on Company’s letter head;

(p) Information about any Current Litigation/ Arbitration, if any, in which bidder is involved;

(q) Declaration by bidder regarding holiday/negative/suspension/banning list of OWNER or EIL or MOP & NG or other oil PSE;

(r) Compliance to requirement of pan no., tax residency certificate and form no.10F as per relevant form(s) provided in Bidding Forms (applicable for foreign bidder in case of services in india is required as per scope of Bidding document);

(s) any other document required as per, Technical Specifications; and

(t) any other document required in the BDS.

(u) Proof of valid PF/ VAT/ Service Tax registration and PAN

(v) Duly signed Integrity Pact

(w) MSE certificate (if applicable)

(x) In case of Consortium/ unincorporated JV, all the necessary documents as defined in NIT.

Note: The above shall be uploaded in “PREQUAL/ TECHNICAL” folder in e-tendering portal

10.1.2 SUBMISSION OF PHYSICAL DOCUMENTS (BID SECURITY / DOCUMENTATION AGAINST BQC)

The following documents shall be submitted in original on or before the due date and time for submission of Bid, mentioned in the BDS or any extension thereof as duly notified in writing by EIL, at the address mentioned in BDS:

a) Booklet titled as “Documentation against Bidder Qualification Criteria” towards fulfilment of the Bidder Qualification Criteria (BQC) as per NIT in accordance with Clause 15.0 of ITB.Integrity Pact, duly stamped & signed on each page by Authorized Signatory of the Bidder (holding Power of Attorney)

b) Valid Power of attorney in favour of signatory (ies) to the bid.

c) EMD in accordance with Clause 18.0 of ITB, wherever applicable

Note: Scanned copy of Bid security shall be uploaded in “FEE FOLDER” in e-tendering portal

10.2 PART-II (Priced Bid)
(a) Schedule of Prices/ Schedule of Rates with prices filled in (including rebate, if any). The rates are to be filled in accordance with instructions provided in preamble to Schedule of prices, in e-tendering portal, without making any changes in the format/names of the file/worksheet.

Deviations to terms and conditions, presumptions, overwriting etc shall not be stipulated in Price part of bid. In case of any conditions stipulated in price bids, the bids of such bidders shall be summarily rejected and shall not be considered for further evaluation. Evaluation shall be carried out excluding such bidder(s.)

Note: Part-II shall be uploaded in “FINANCE” folder in e-tendering portal

11.0 INTEGRITY PACT

11.1 Bidder shall submit, the scanned copy of the Integrity Pact duly signed and stamped in token of compliance in Part-I of the Bid. Integrity Pact is required to be submitted for Bids of value Rs. 1 (One) crore and above. However, in the event the Integrity Pact is not applicable considering the value of Bid then a self declaration to this extent shall be submitted by the bidder in Part-I of the Bid. Copy of the Integrity Pact is provided along with Bidding document.

11.2 Proforma of Integrity Pact (IP) attached shall be returned by the Bidder/s along with the bid documents (technical bid in case of 2 part bids), duly signed by the same signatory who is authorized to sign the bid documents. All the pages of the Integrity Pact shall be duly signed. Bidder’s failure to return the IP duly signed along with the bid documents shall result in the bid not being considered for further evaluation.

11.3 If the Bidder has been disqualified from the tender process prior to the award of the contract in accordance with the provisions of the Integrity Pact, BPCL shall be entitled to demand and recover from Bidder Liquidated Damages amount by forfeiting the EMD/Bid Security as per provisions of the Integrity Pact.

11.4 If the contract has been terminated according to the provisions of the Integrity Pact, or if BPCL is entitled to terminate the contract according to the provisions of the Integrity Pact, BPCL shall be entitled to demand and recover from Contractor Liquidated Damages amount by forfeiting the Security Deposit/Performance Bank Guarantee as per provisions of the Integrity Pact.

11.5 Bidders may raise disputes/complaints, if any, with the nominated Independent External Monitor. The detail of Independent External Monitors (IEMs), appointed by OWNER, in terms of Integrity Pact (IP) is specified in the BDS.

12.0 ALTERNATIVE BIDS

12.1 A bidder (i.e., the bidding entity) shall, on no account submit more than one bid either directly (as a single bidder or as a member of consortium) or indirectly (as a sub-contractor) failing which following actions shall be initiated:

i) All bids submitted by such bidder (say ‘A’) directly & indirectly, shall stand
rejected and BID SECURITY, if any, in case of direct bid submitted by bidder ‘A’ shall be forfeited.

ii) If another bidder (say ‘B’) has proposed bidder ‘A’ as a sub-contractor then bidder ‘B’’s bid shall also be rejected. However, in case the bidder ‘B’ has also proposed an alternative sub-contractor who is other than the bidder ‘A’, then bidder ‘B’’s bid shall be evaluated with the proposed alternative sub-contractor only. Hence, every bidder shall ensure in his own interest that his proposed sub-contractor is not submitting alternative/multiple bids.

13.0 BID PRICES AND DISCOUNTS
13.1 The prices must be quoted strictly in the format provided in the Bidding Document. Conditional discount, if offered, shall not be considered for evaluation.

13.2 Unless stated otherwise in the Bidding Document, the Contract shall be for the total works as described in Bidding Document, based on the Schedule of Rates/Prices submitted by the bidder and accepted by EIL.

13.3 Bidder shall quote for all the items of Schedule of Rates/Prices after careful analysis of cost involved for the performance of the complete item considering all parts of the Bidding Document. In case any activity is not specifically covered in description of item under ‘Schedule of Rates/Prices’ but is required to complete the work as per Scope of Work, Scope of Supply, Specifications, Standards, Drawings, General Conditions of Contract, Special Condition of Contract or any other part of Bidding Document, the rates/ prices quoted shall be deemed to be inclusive of cost incurred for such activity.

13.4 Rates/ prices quoted by the bidder shall remain firm, fixed and valid till the completion of the Works and will not be subject to variation on any account except as otherwise specifically provided in the Bidding Documents.

13.5 Discount, if any, must be indicated in the column provided in Schedule of Rates/Prices only, provided in the Bidding Document.

13.6 All duties, taxes, and other levies payable shall be as per Special Conditions of Contract.

14.0 CURRENCIES OF BID AND PAYMENT
14.1 Refer BDS.

15.0 DOCUMENTS ESTABLISHING THE QUALIFICATIONS OF THE BIDDER
15.1 If specified in the Invitation for Bids (IFB), bidder(s) intending to participate shall fulfill the Qualification Criteria specified in the Invitation for Bid (IFB). The experience and financial details submitted by the bidders shall be evaluated with respect to the Qualification Criteria specified in the Invitation for Bid. Bidders are requested to submit all qualification details along with relevant supporting documents in the first instance itself as EIL may finalize the qualification based on details submitted without asking for any additional details. In view of this, bidder, in their own interest, must submit
experience details for as many jobs as possible that, in his opinion, meet the Bidder Qualification Criteria (BQC).

15.2 Bids of only those bidders who are found to qualify based on the Qualification Criteria specified in the Invitation for Bid shall be considered for detailed Techno-Commercial evaluation. Decision of OWNER/EIL in this regard shall be final and binding.

15.3 While evaluating the bidder’s conformity with Qualification Criteria, only such works shall be taken into consideration, the details of which have been submitted along with the Bid.

15.4 Copy of work order/ notification for award of work along with documentary evidence of its completion is mandatory, which establishes that the bidder has been awarded a work and proof of completion which establishes that the work under reference has been completed. (unless otherwise there is any specific mention in the bidding document regarding consideration of work in progress)

15.5 A job completed by a bidder as a sub-contractor shall be considered for the purpose of meeting the experience criteria of BQC subject to submission of following documents in support of meeting the "Bidder Qualification Criteria":

a) Copy of work order along with schedule of rates issued by main contractor.

b) Copies of completion certificates from the end user/Owner/Consultant of Owner and also from the main contractor. The Completion Certificates shall have details like work order no. /date, brief scope of work, ordered & executed value of the job, completion date etc.

c) However, in case bidder is not able to furnish the completion certificates from the end user/Owner/PMC in his name then completion certificate issued in the name of main Contractor shall also be considered as proof of completion.

15.6 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 will be considered as experience for the purpose of meeting BQC 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/ fellow subsidiary / holding company. Such bidders to submit these documents in addition to the documents specified in the enquiry documents to meet BQC.

15.7 In addition to above, bidder shall also furnish documentary evidence by way of copies of Complete Audited Annual Financial Year Statements including auditor report, Balance Sheet, Profit & Loss Account Statement and all other schedules for the preceding three financial year along with the Bid for meeting the financial criteria.

15.8 Net-Worth shall be calculated as per formula provided in LlB/ NIT.
15.9 Not limited to above, bidder shall submit any additional documents/information as requested in IFB or/and requested by EIL in writing, subsequent to submission of Bids.

16.0 SPECIAL DOCUMENTATION REQUIREMENT

16.1 All supporting documents, pertaining to “Bid Qualification Criteria” including MSE certificate shall be submitted.

Either

Duly certified by Statutory Auditors of the bidder or practicing Chartered Accountant (not being an employee or a Director or not having any interest in the bidder’s company/firm) where audited accounts are not mandatory as per law.

Or

Duly notarized by any Notary Public.

Or

Duly certified by reputed Third Party Inspection Agencies (BV/ DNV/TUV/ PDIL / CEIL / LRS / IRS / MECON / RITES / Moody

Or

Self-certified documents in original from any one out of CEO or CFO or Company Secretary of the bidder (Limited company only) along with Self-Certification as per Annexure-1 of NIT. {This option shall not be applicable to Proprietorship/ Partnership firms}

16.2 All documents submitted by the bidder towards meeting Bid qualification Criteria shall be furnished in a separate booklet titled as “Documentation against Bidder Qualification Criteria (Experience & Financial) with proper index” in original.

16.3 The authenticated/certified copy of all supporting documents as mentioned above, shall be submitted, in original, to the concerned person at address identified in BDS.

16.4 Submission of authentic documents is the prime responsibility of the bidder. 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 and OWNER/EIL reserves the right to reject the bid without making any reference to the bidder.

16.5 Wherever OWNER/EIL has concern or apprehension regarding the authenticity/ correctness of any document, OWNER/EIL reserves a right of getting the document cross verified from the document issuing authority.

17.0 PERIOD OF VALIDITY OF BIDS

17.1 Bids shall remain valid for the period specified in the BDS after the bid submission deadline date in accordance with Clause 21.0 of ITB. A bid with shorter validity shall be rejected by EIL as non responsive. Bidders shall not be entitled during the above period, without the consent of EIL in writing, to revoke or cancel their Bid or to vary the Bid given or any term thereof. In case of bidders revoking or cancelling their Bid or varying
any terms in regard thereof without the consent of OWNER/EIL in writing, OWNER/EIL shall forfeit Bid security, submitted along with the bid and shall reject their bids. Such Bidder may also be put on Holiday list/ Negative List.

17.2 In exceptional circumstances, prior to the expiration of the bid validity period, OWNER/EIL may request bidders to extend the period of validity of their bids. The request and the responses shall be made in writing. If a bid security is requested in accordance with Clause 18.1 of ITB, it shall also be extended for 3 (Three) months beyond the deadline of the extended validity period. A bidder may refuse the request without forfeiting its bid security. A bidder granting the request shall not be permitted to modify its bid.

18.0 BID SECURITY

18.1 Bidder shall furnish as part of its bid, a Bid Security, in original form and, in the amount and currency specified in the BDS. Any bid not accompanied with a requisite Bid security or the Bid Security not being for the required amount, shall be summarily rejected by OWNER/EIL. Format of Bank Guarantee for Bid Security is provided in Bidding Forms.

18.2 OWNER/EIL shall not pay any interest on Bid Security furnished. Further, in case bank guarantee submitted is found to be fake, bid of such bidder shall be rejected and may initiate action as deemed necessary as per OWNER/EIL Policy.

18.3 The bid security shall be a demand draft / bank guarantee in favour of Bharat Petroleum Corporation Limited, in any of the following forms at the bidder’s option:

   a) an unconditional guarantee issued by any Indian scheduled bank which includes Indian branch of foreign bank recognized as scheduled bank by RBI, strictly in the format provided in Bidding Forms;

   b) demand draft payable at Noida;

18.4 Foreign Bidders may also submit BG from an international bank of repute having a branch in India or having correspondent banking relationship with an Indian scheduled bank, in which case the BG shall be countersigned by their Indian Branch or by any Scheduled Indian Bank.

18.5 EMD in the form of Swift message / Cheque/ Cash shall not be acceptable.

18.6 The bid security shall be valid for Three (3) Months beyond the validity period of the bid, or beyond any period of extension if requested under Clause 17.2 of ITB.

18.7 After award of contract to successful bidder, the Earnest Money Deposit of all unsuccessful Bidders shall be returned to them. Further, in case the award is delayed due to any reasons, the EMD submitted by the unsuccessful bidders shall be returned on expiry of validity of their Bids. EIL shall return EMD to unsuccessful Bidders if it was submitted in the form of BG. BPCL shall return the EMD submitted in the form of DD directly to unsuccessful Bidders. Also, EMD of late bids / whose unpriced bids not
opened, shall be returned by EIL after priced bid opening. The bidders who are not qualified for priced bid opening, EMD of such bidders shall be returned after priced bid opening. However, in case EIL / Owner decides to cancel / annul the Enquiry / Bidding Document at any stage during the bidding process but before the award of work / items (as applicable), EMD of the bidders shall be returned at the earliest from the date of such decision. In the case of successful Bidder, the EMD shall be returned to them after the order / contract is effective and Security Deposit for Performance is submitted.

18.8 The bid security shall be forfeited:

(a) if a bidder withdraws its bid during the period of bid validity, or any extension thereto provided by the bidder; or submits multiple bids/alternative bids in accordance with Clause 12.0 of ITB

(b) on his own modifies his bid during the period of bid validity; or

(c) if the successful bidder fails to:

   (i) sign the Contract in accordance with Clause 38.0 of ITB; and/or

   (ii) furnish a security deposit for performance in accordance with Clause 39.0 of ITB.

   (iii) to accept arithmetical corrections pursuant to Clause 32.0 of ITB.

(d) If the Information/ documents forming basis of evaluation submitted by the bidder in the bid is found to be false/ forged in accordance with relevant provisions provided in Bidding Document.

18.9 In case of a JV/Consortium bid (if permitted in BDS), the Bid Security shall be submitted by the Leader in original form and, in the amount specified in the BDS. Bid Security may be submitted by the Leader or member, on behalf of consortium as follows:

   i. Foreign consortium (i.e., consortium formed by foreign companies only)- US $

   ii. Indian consortium (i.e., consortium formed by Indian companies only)- Indian Rupees

   iii. Consortium bid involving one Indian and one foreign entity- US $ or Indian Rupees.

19.0 FORMAT AND SIGNING OF BID

19.1 The e-bid shall be digitally signed (e-signed) using the digital signature of a person duly authorised to sign on behalf of the bidder. The digital signature used for signing the bid shall be issued in the name of such authorised person and the certificate details, available from the signed documents, should indicate the details of the signatories. All documents/files of the bid shall be signed by using the digital signature issued in the name of the person having valid Power of Attorney (POA) at the time of bid submission. Any consequences resulting due to such signing (e-signing) shall be binding on the bidder.

19.2 In case of a JV/Consortium bid (If permitted in the bidding document), the Bid shall be digitally signed (e-signed) using the digital signature of a authorized representative of
the JV /Consortium, and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized representatives.

D SUBMISSION AND OPENING OF BIDS

20.0 SEALING AND MARKING OF BIDS

20.1 The bidder shall submit the, original Bid Security along with other documents requested in “Original”, as per the requirement of clause no. 10.1.2 of ITB, in separate sealed envelopes, duly marking the envelopes as per following:

Part III - Bid Security & Originals
Name of Work: ________________________________
Bidding Document No.: _________________________
Due date & Time of Submission: __________________
From: [Name & Address of Bidder]________________

20.2 The envelope shall bear the name and address of the bidder and bear a warning not to open before the time and date for bid opening.

20.3 If all envelopes are not sealed and marked as required, EIL will assume no responsibility for the misplacement or premature opening of the Part-III of bid.

20.4 Bidders shall submit bids (Part-I & Part-II) electronically and shall follow the electronic bid submission procedures enclosed as Appendix-I to this ITB.

21.0 DEADLINE FOR SUBMISSION OF BIDS

21.1 Bidders shall submit their bids electronically in the e-tendering portal, within the date and time specified in the BDS. Bidders submitting bids electronically shall follow the electronic bid submission procedures enclosed as Appendix-I to this ITB.

21.2 Bid Security in accordance with ITB 18.0, in original, must be received by EIL at the address and no later than the date and time for submission of Bids/ specified in the BDS. If the bidder is unable to submit EMD in original on the Bid Due Date & time, he should upload a scanned copy of the EMD while submitting the bid in Methodology website, provided the original EMD (copy of which has been uploaded) is received within 7 calendar days from the date of unpriced bid opening, failing which the bid will be rejected irrespective of their status/ ranking in tender and notwithstanding the fact that a copy of EMD was earlier uploaded by the bidder.

21.3 OWNER/EIL may, at its discretion, extend the deadline for the submission of bids by amending the Bidding Documents in accordance with Clause 6.0 of ITB, in which case all rights and obligations of OWNER/EIL and bidders previously subject to the deadline shall thereafter be subject to the deadline as extended.

22.0 LATE BIDS
22.1 E-tendering system shall close immediately after the deadline for submission of bid. Any bids being submitted in physical form (other than Part-III of Bid) shall not be considered for opening / evaluation / award and will be returned to such bidders.

22.2 In the event the Bid Security in original, in accordance with ITB 21.2, are not submitted within 7 days from the date of unpriced bid opening, the bids shall be declared late and shall not be considered for opening, notwithstanding the fact that the bid has been submitted in electronic form within the deadline.

23.0 WITHDRAWAL, SUBSTITUTION, AND MODIFICATION OF BIDS

23.1 The bidder may modify, re-submit or withdraw its e-bid after the bid submission, but, before the due date and time for submission of Bid following the electronic bid submission procedures.

23.2 No bid shall be withdrawn, substituted, or modified in the interval between the deadline for submission of bids and the expiration of the period of bid validity or any extension thereof.

24.0 BID OPENING

24.1 Bidders may witness Unpriced bid opening through CPP Portal remotely from their places.

24.2 EIL shall verify the availability of requisite BID SECURITY, either in original or uploaded in “FEE FOLDER” in E-tendering Portal, prior to opening of other folders of Part-I of e-Bid. Further Techno-commercial e-Bid of only those bidders shall be considered for opening, who have already submitted the requisite Bid Security, in accordance with ITB 21.2, in original, prior to due date and time for submission of Bids.

24.3 Except in the cases specified in ITB 22.2, EIL shall open Part-I of all bids received in the e-tendering portal.

24.4 The order of part wise opening of bids shall be as follows;

i. On scheduled date and time of UNPRICED bid opening,

   a) Original Bid Security & other original documents submitted in physical form shall be opened first and verified that whether Bid Security has been furnished as per bid requirement.

   b) If the bidder is unable to submit EMD in original on the Bid Due Date & time, uploaded scanned copy of the EMD in e-tendering website shall be opened and verified that whether Bid Security has been furnished as per bid requirement.

   c) Up on meeting the requirement of Bid Security as per Clause 18.1 of ITB, Opening of other documents of part –I, submitted in electronic form shall be processed on the e-Procurement module of the e-tendering portal.
d) If a bidder has not complied with Bid Security requirement a) or b) above, such bidder’s offer (Part-I) is not proceeded for further opening and rejected out rightly.

ii. Other folders of Part-I of bid of only those bidders whose bids is determined to be acceptable shall be opened.

E EVALUATION AND COMPARISON OF BIDS

25.0 CONFIDENTIALITY

25.1 A bidder may seek clarification regarding the bidding document provisions, bidding process and / or rejection of his bid. EIL shall respond to such requests within a reasonable time. However, such information relating to the evaluation of bids and recommendation of contract award shall not be disclosed to any other persons not officially concerned with the bidding process.

25.2 Any attempt by a bidder to influence OWNER/EIL in the evaluation of the bids or Contract award decisions shall render their Bid liable for rejection.

25.3 Notwithstanding Clause 25.2 of ITB, from the time of bid opening to the time of Contract award, if a bidder wishes to contact OWNER/EIL on any matter related to the bidding process, it shall done so in writing only.

26.0 DEVIATIONS, RESERVATIONS, AND OMISSIONS

26.1 During the evaluation of bids, the following definitions apply:

(a) "Deviation" is a departure from the requirements specified in the Bidding Documents;

(b) "Reservation" is the setting of limiting conditions or withholding from complete acceptance of the requirements specified in the Bidding Documents; and

(c) "Omission" is the failure to submit part or all of the information or documentation required in the Bidding Documents.

27.0 DETERMINATION OF RESPONSIVENESS

27.1 OWNER/EIL’s determination of a bid’s responsiveness is to be based on the contents of the bid itself, as defined in Clause 10.0 of ITB.

27.2 A substantially responsive bid is one that meets the requirements of the Bidding Documents without material deviation, reservation, or omission. A material deviation, reservation, or omission is one that,

(a) if accepted, would:
(i) affect in any substantial way the scope, quality, or performance of the Works specified in the Contract; or

(ii) limit in any substantial way, inconsistent with the Bidding Documents, OWNER/EIL’s rights or the bidder’s obligations under the proposed Contract; or

(iii) would unfairly affect the competitive position of other bidders presenting substantially responsive bids.

27.3 Bidder should not be under liquidation, court receivership or similar proceedings. Bidder shall submit self certificate in this regard.

Bidder who is found to be under court receivership or similar proceeding as per above declaration, then their offer shall not be considered for further evaluation.

28.0 CLARIFICATION OF BIDS

28.1 Bidders should ensure that the Bid submitted is substantially responsive Bid in the first instance itself. Evaluation may be completed based on the content of the Bid itself without seeking any subsequent additional information which may result in rejection of Bid. However, OWNER/EIL may, at its discretion, may request bidder to submit the necessary information or documentation, within a reasonable period of time, to withdraw material deviation, reservation, or rectify omission in the bid related to documentation requirements. Requesting information or documentation on such account shall not be related to any aspect of the price of the Bid. OWNER/EIL’s request for clarification and the response shall be in writing.

28.2 Exceptions and deviations by the Bidder shall be mentioned only in the given pro-forma in Proposal Forms. Any exceptions/ deviations mentioned elsewhere in the document shall not be considered for evaluation.

28.3 No change, including any voluntary increase or decrease, in the prices or substance of the bid shall be sought, offered, or permitted. Bidder shall not be allowed to submit any price implication or revised price after submission of Bid unless the same is called for by OWNER/EIL in writing.

28.4 Any clarification submitted by a bidder that is not in response to a request by OWNER/EIL shall not be considered. Failure of the bidder to comply with the request may result in the rejection of its Bid.

28.5 If a bidder does not provide clarifications of its bid by the date and time set in EIL’s request for clarification, its bid shall be evaluated with available information which may result in rejection of their bid.

29.0 EVALUATION OF TECHNO-COMMERCIAL BIDS

29.1 Prior to price opening of bids, EIL will determine whether each bid is accompanied with required Bid Security, as applicable;
(i) Fulfils the technical, financial, experience and other requirements as specified in the Bidding Document;

(ii) Bid’s responsiveness, in accordance with Clause 27.0 of ITB;

(iii) Any other relevant factor, if any that EIL deems necessary or prudent to be taken into consideration.

29.2 OWNER/EIL reserves the right to use in-house information for assessment of capability of bidder and their performance on jobs completed/ in progress for evaluation purpose.

29.3 **BID REJECTION CRITERIA:**

Bidders shall adhere to the provisions of the Bidding Document without taking any deviations, failing which the Bid shall be considered to be non-responsive and are liable to be rejected.

30.0 **PREFERENCE TO MICRO OR SMALL ENTERPRISES**

30.1 Preference, if applicable to MSEs, shall be as per BDS.

30.2 For facilitating promotion and development of micro and small enterprises, OWNER/EIL is committed to promote the procurement of supplies/ services from MSEs in Orders/ contracts awarded. Accordingly, bidders are also encouraged to promote the same by considering MSE sub-suppliers/ sub-contractors to the extent possible under the Orders/ Contracts awarded on them. After award of work, supplier/ contractor shall furnish a statement along with copies of orders/ FOAs placed by them on their sub-suppliers/ sub-contractors who are MSEs, to EIL Project Manager/ RCM, as applicable.

31.0 **OPENING OF PRICE BID**

31.1 Priced Bid (Part-II) of only those bidders whose bids is determined to be technically and commercially acceptable by OWNER/EIL shall be opened. Bidders may witness Price bid opening through CPP Portal remotely from their places.

32.0 **CORRECTION OF ARITHMETICAL ERRORS**

32.1 EIL shall correct arithmetical errors on the following basis:

(i) The prices quoted by bidders shall be checked for arithmetic correction, if any, based on rate and amount filled by the bidder in the SOR/price schedule formats. If some discrepancies are found between the rate / amount given in figures/words, the total amount shall be corrected as per the following procedure, which shall be binding upon the bidder:

a) When the rate quoted by bidder “in figures” and “words” tallies but the total amount is incorrect, the rate quoted by the bidder shall be taken as correct and the total amount shall be reworked.
b) When there is difference between the rate “in figures” and in “words”, the rate that corresponds to the total amount, shall be taken as correct.

c) When it is not possible to ascertain the correct rate as detailed above, the rate quoted for the item in words shall be adopted and total amount shall be reworked.

d) If the total amount written against an item does not correspond to the rate written in figures and if the rate in words is not written by the bidder, then the higher of the rates, i.e. higher of the rate worked out by dividing the amount by the notional quantity or the rate quoted, shall be considered for evaluation. In the event that such a bid is determined as the lowest bid, the lower of the rates shall be considered for award of works.

32.2 Bidders shall be requested to accept correction of arithmetical errors. Failure to accept the correction in accordance with Clause 32.1 of ITB, shall result in the rejection of the Bid and Bid Security shall be forfeited.

33.0 CONVERSION TO SINGLE CURRENCY

33.1 Wherever BDS permits bidder to quote prices in more than one currency, for evaluation and comparison purposes, the currency(ies) of the Bid shall be converted into a single currency, and that will be Indian Rupees only at the exchange rate published by the RBI on the date of price bid opening. In case the RBI reference rate of foreign exchange published on the day of opening is not available, immediate preceding exchange rate published by RBI shall be considered.

34.0 EVALUATION AND COMPARISON OF PRICE BIDS

34.1 EIL shall compare the price bids based on the evaluation methodology and loading criteria, if any, provided in BDS to determine the lowest evaluated bid.

35.0 OWNER/ EIL’S RIGHT TO ACCEPT ANY BID, AND TO REJECT ANY OR ALL BIDS

35.1 OWNER/EIL reserves the right to accept or reject any or all the bids at his discretion and may annul the Bidding process, without thereby incurring any liability to bidders.

36.0 AWARD CRITERIA

36.1 Subject to Clause 35.1 of ITB, the EIL/BORL shall award the Contract to the bidder who has been determined to be the lowest evaluated bid. However, if in the opinion of OWNER/EIL, the total price or certain item rates quoted by the lowest evaluated bidder are considered high, OWNER/EIL may invite such bidder for price negotiation. Lowest quoted bidder shall attend such negotiation meetings and if requested by OWNER/EIL shall provide the analysis of rates/break-up of amount quoted by him for any or all items of Schedule of Rates/Prices to demonstrate the reasonability. As a result of negotiation, bidder may offer rebate on his earlier quoted Price.
37.0 NOTIFICATION OF AWARD

37.1 Prior to the expiration of the period of bid validity, the OWNER/EIL shall notify the successful bidder, in writing, that its bid has been accepted. The notification letter (hereinafter and in the General Conditions of Contract called the “Letter of Award (LOA)/ Fax of Acceptance (FOA)”) shall specify the sum that the OWNER/EIL will pay the Contractor in consideration of the execution and completion of the Works.

37.2 Until a formal contract is prepared and executed, the notification of award along with this Bidding Document together with the annexed documents, modifications, deletions agreed upon by the OWNER/EIL shall constitute a binding contract between the successful bidder and the BPCL.

38.0 SIGNING OF CONTRACT

38.1 Promptly upon issue of LOA/ FOA, the successful bidder shall sign, the Contract Agreement on a non-judicial stamp paper and of appropriate value. The cost of non-judicial stamp paper shall be borne by the successful bidder.

39.0 SECURITY DEPOSIT TOWARDS PERFORMANCE/ RETENTION MONEY

39.1 Within thirty (30) days of the receipt of notification of award from OWNER/EIL, the successful contractor shall submit security deposit of 10% of the contract value. The earnest money deposit (EMD) of the successful contractor, if paid in forms other than Bank Guarantee, can be converted to security deposit for due performance of the contract if the contractor so desires. However the “performance security deposit/retention money” shall be limited to a maximum of 10% of the contract value.

39.2 Failure of the successful bidder to submit the above-mentioned security deposit towards performance or sign the Contract shall constitute sufficient grounds for the annulment of the award and forfeiture of the bid security.

40.0 COMPLIANCE TO REQUIREMENT OF PAN NO., TAX RESIDENCY CERTIFICATE AND FORM NO.10F (APPLICABLE FOR FOREIGN BIDDER IN CASE OF SERVICES IN INDIA IS REQUIRED AS PER SCOPE OF BIDDING DOCUMENT)

It is mandatory for the foreign bidder to furnish the following information in case his receipts are subject to tax deduction at source in India:

40.1 PAN No.

As per the Indian Income Tax requirements failing which the Supplier/Contractor/Consultant shall be responsible for any additional tax deduction at source as per the provisions of the Indian Income Tax Act/Rules and the same shall be deducted from the payment made to supplier/contractor/consultant.

40.2 Tax Residency Certificate (TRC)

TRC containing prescribed particulars as per format provided in GCC from the Government of foreign country in order to claim the benefits of DTAA as per the Indian Income Tax requirements failing which the relief under DTAA will not be
available and consequently the higher rate of withholding tax @25% will be applicable and deducted from the payment made to supplier/contractor/consultant (i.e., non-resident taxpayer). The TRC shall be duly verified by the Government of the country of which the assessee claims to be a resident for the purposes of tax.

40.3 **Form 10F**

In additional to TRC, bidder in order to claim the benefits of DTAA shall also submit additional information in form no. 10F (as per format provided in GCC). Form 10F has to be signed & verified by the assessee himself.

If some information is already contained in TRC, the bidder shall not be required to provide that information in Form no. 10F but even then Form no. 10F is required to be provided by the bidder.

However, the bidder may write Not Applicable in the relevant column in case that information is already contained in TRC.

The above shall be furnished before release of any payment or within one month of the release of Order, whichever is earlier.

Failing submission of the above information, any additional tax liability on Owner, will be deducted from the payment due to the contractor.
# BID DATA SHEET

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<th>SR.NO.</th>
<th>ITB CL. NO.</th>
<th>CONTENT</th>
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<tr>
<td>1.</td>
<td>ITB 1.1</td>
<td>Bidding Document Reference No. is: AK/A872-030-MA-TN-6001/1001</td>
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<td>2.</td>
<td>ITB 1.1</td>
<td>Name of Works is: DOUBLE WALL REFRIGERATED STORAGE TANK WORKS FOR LPG IMPORT TERMINAL FACILITIES PROJECT AT HALDIA.</td>
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<td>3.</td>
<td>ITB 3.1 &amp; 3.3</td>
<td>Enquiry Basis is: NOTICE INVITING BID ON INTERNATIONAL COMPETITIVE BASIS</td>
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<td>4.</td>
<td>ITB 3.2</td>
<td>Name of Client/OWNER is: BHARAT PETROLEUM CORPORATION LIMITED (BPCL)</td>
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<td>5.</td>
<td>ITB 3.2</td>
<td>Name of Project Management Consultant is: ENGINEERS INDIA LIMITED (EIL)</td>
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</table>
| 6.     | ITB 5.2     | i. Last date for submission of pre-bid queries is **05.09.2016**  

   ii. The pre-bid meeting is scheduled as follows:  
   1000 Hrs. IST on **06.09.2016** at Engineers India Limited, EIL Office Complex, Sector-16, Gurgaon, Haryana, India-122001 |
| 7.     | ITB 5.2, 16.3 & 10.1.2 | The detail of Contact Persons for any query/clarification/communication/Postal address is:  

   **Mr. ATUL KUMAR**  
   DGM (C&P),  
   1ST FLOOR, TOWER-1,  
   C&P DEPARTMENT  
   ENGINEERS INDIA LIMITED  
   SECTOR-16,  
   (Near 32nd Milestone, NH-8),  
   GURGAON-122001  
   (HARYANA)  
   Ph: 0124-380 2081/ 2110/ 2174  
   Email: atul.kumar@eil.co.in/ d.chatterjee@eil.co.in/ deepak.malik@eil.co.in |
8. **ITB 5.9**
   i. The geographical location detail of project site is **Haldia, West Bengal**
   ii. The contact person details at site is:
       Mr. Shri Sunil K Dhakate,  
       Sr. Manager Construction (E&P),  
       Bharat Petroleum Corporation Limited,  
       Haldia Coastal Installation,  
       Patikhabi, Durgachak,  
       Haldia, East Medinipur,  
       West Bengal-721602  
       Contact No.: +91-3224251085  
       Mobile No. +91-9799936500

9. **ITB 10.1.1, 21.1 & 21.2**
   The last Date and time of submission of Bids is **1200 Hrs. IST on 22.09.2016**

10. **ITB 3.2, 10.1.1 e) & 18.9**
    Consortium / unincorporated Joint Venture (JV) Bids are acceptable. Refer NIT for further details.

11. **ITB 11.5**
    The following Independent External Monitor (IEM) have been appointed by BPCL, in terms of Integrity Pact (IP).
    i. Mr. Mr. Shantanu Consul  
       No.9 MCHS (IAS officers colony),  
       16th Main (IAS officers colony),  
       BTM 2nd stage, Bangalore-560076  
       Mobile No.: 09740069318  
       shantanuconsul@gmail.com

12. **ITB 20.4, 21.1**
    URL for e-tendering portal is [https://eprocure.gov.in/eprocure/app](https://eprocure.gov.in/eprocure/app)
13. ITB 14.1
   a) Indian bidders shall quote in Indian Rupees for all SOR items.
      a) Foreign Bidders shall quote the prices in Indian Rupees (INR) for all SOR items except item Sl. No. V999.99.99 V01 & V999.99.99 V02. The supply component and/or Residual design component of Sl. No. V999.99.99 V01 (Lumpsum rate for Double wall storage tank) & V999.99.99 V02 (Supply of services of specialized personnel for Supervision) may be quoted in USD/EURO also. However for all other service component (erection, installation, painting etc) must be quoted in INR only.
   b) CIF details of built in import content shall be furnished by Indian bidder for statutory variation in Custom Duty.
   c) For materials/services to be procured and rendered in India, Bidder shall quote the prices in Indian Rupees only.
   d) All Payment shall be made in INR (Indian Rupees) only. However Payment of foreign currency component to Foreign Bidder shall be made through wire transfer.
   e) Break-up of Payment for Item Sl. No. V999.99.99 V01:
      i. Payment for Residual Engineering shall be maximum 5% (Five Percent) of Total Lumpsum Price quoted for Item No. Sl. No. V999.99.99 V01.
      ii. Payment for Procurement and Supply Component shall be maximum 55% (Fifty Five Percent) of Total Lumpsum Price quoted for Item No. Sl. No. V999.99.99 V01.
      iii. In case invoice(s) raised by Contractor exceed the limits specified under clause (i) and/or (ii) above, the excess amounts shall be paid in the Final Bill provided the Total Lumpsum Price does not increase on account of such payment.
      iv. In case foreign bidder submits prices in dual currency, the above purpose only their quoted prices shall be prorated considering exchange rate published by the RBI on the date of submission of bids.

14. ITB 15.0 Refer Invitation for Bids
15. ITB 17.0 Bid shall remain valid for a minimum period as specified in Clause 7.5 of NIT from due date of submission of Bid
16. ITB 18.1 Refer NIT
### 17.  **ITB 30.0**

Price preference as admissible under the prevailing procurement policy for MSEs is applicable to this tender.

a) Subject to meeting terms and conditions stated in the tender document including but not limiting to prequalification criteria, in present tender, as the tendered quantity cannot be split due to nature of job, MSE shall be allowed for supply and installation of total tendered quantity provided their quoted price is within a price band of L1 + 15 percent and they match the L1 price. In case of more than one such MSEs are in the price band of L1 + 15%, then L1 MSE will be offered first and if matches the L1 price, MSE shall be allowed for supply and installation of total tendered quantity. If L1 MSE does not matches L1 price, other MSES falling in range of L1+15% band will be offered in order of L2 MSE,L3 MSE etc. until they match L1 price.

b) No separate preference will be given to MSE owned by Scheduled Caste & Scheduled Tribe entrepreneurs over MSE owned by general person as quantity cannot be split in this tender.

c) MSE bidder shall submit the following:
   
   i) Documentory evidence that the bidder is a Micro or Small Enterprises registered with District Industries Centres (DIC) or Khadi and Village Industries Commission or Khadi and Village Industries Board or Coir Board or National Small Industries Corporation (NSIC) or Directorate of Handicraft and Handloom or Udyog Aadhar Memorandum or any other body specified by Ministry of Micro, Small and Medium Enterprises as per applicable Government of India guidelines.

   ii) The certificate shall submitted duly authenticated as per requirements mentioned in NIT (in original) and shall also be valid as on the date of opening of Un-priced Bid.

If the bidder does not provide the appropriate document or any evidence to substantiate the above, then it will be presumed that he does not qualify for any preference admissible in the Public Procurement Policy, 2012.
The evaluation of all Techno-Commercially acceptable bids, to arrive at the lowest evaluated bid, shall be as under:

I. The Total amount quoted in Schedule of Rates after arithmetic check inline with Clause 32.0 of ITB shall be taken up for evaluation.

II. To arrive at the evaluated price, loading on total quoted price, wherever applicable, shall be done as per following:
   a. Plus Service tax quoted by bidder in FORM SP-1
   b. Plus Swachh Bharat Cess amount as quoted by bidder in FORM SP-1.
   c. Plus Krishi Kalyan Cess amount as quoted by bidder in FORM SP-1.
   d. Loading for unquoted items as per III below.

III. The prices quoted by the Bidders who have retained the deviations to the terms and conditions, if any, which are otherwise considered acceptable by EIL and can be quantified, shall be loaded. In case a Bidder does not quote for any items and the estimated price impact of unquoted items is more than 10% of his total quoted price, the bid will be rejected. If such price impact of unquoted items is 10% or less of his total quoted price, for the purpose of comparison, the unquoted items shall be loaded by price impact calculated on the basis of highest of the rates quoted by other bidders. If such Bidder happens to be the selected Bidder, price of unquoted items shall be negotiated before award of work in line with the lowest rate quoted by the Bidder.

IV. Optional items, if any, shall not be considered for the purpose of arriving at the total cost. However, in case the rates quoted by the selected Bidder for optional items are considered high, the same shall be negotiated.

V. Conditional discount, if offered, shall not be considered for evaluation.

VI. Any uncalled for lump-sum/ percentage or adhoc reduction/increase in prices, offered by the Bidders after opening of the prices, shall not be considered. However, if reduction is from the recommended Bidder, such reduction shall be taken into account for arriving at the contract value and not for evaluation purpose.

VII. The currency(ies) of the Bid shall be converted into a single currency, and that will be Indian Rupees only at the exchange rate published by the RBI on the date of price bid opening. In case the RBI reference rate of foreign exchange published on the day of opening is not available, immediate preceding exchange rate published by RBI shall be considered.
BIDDING FORMS
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FORM A

FORM OF BID
(As per 10.1.1 (g) of ITB)

(To be filled by the Bidder)

Serial No. Date:

To
Bharat Petroleum Corporation Limited,

Dear Sirs,

Having examined the Bidding Documents consisting of the Letter Inviting Bid / Invitation for Bids, Bidding Data Sheet Instructions to Bidders, General Conditions of Contract, Special Conditions of Contract, Specifications, Technical requirements, Time Schedule, Form of Agreement, Form of Bid, and Addendum(s) to the Bidding Documents (if any), and having understood the provisions of the said Bid Documents and having thoroughly studied the requirements of Bharat Petroleum Corporation Limited in connection with the ----------------------------- (Name of Work) for

.................. (Name of Work)

and having conducted a thorough study of the job site(s) involved, the site conditions, soil conditions, the climatic conditions, labour, power, water, material and equipment availability, the transport and communication facilities, the availability and suitability of Site Fabrication Areas, the availability of land and/or premises for temporary office and accommodation quarters and all other factors and facilities and things whatsoever necessary or relevant to the formulation of the Bid and the performance of work, I/we hereby submit our bid/offer for the performance of the proposed services and supplies in accordance with the terms and conditions and within the time mentioned in the Bid Documents at the rates/prices quoted by me/us in Schedule of Rates/Price included within the Bid Documents and arrived at rates/prices for the services and supplies as per the Schedule of Rates/Price. If the work is awarded to me/us, I/we undertake to perform the work and make the supplies in accordance with the Contract Documents as defined in the Form of Agreement forming part of the bid documents and accept the terms and conditions of Contract as laid down therein and undertake to submit within 30 (Thirty) days of receipt of Notification of award of Bid for security deposit as specified in the Fax of Acceptance of bid by way of Bank Guarantee from a Scheduled Bank in India and to commence work at the job site and to sign the formal Contract in terms of the Proforma of Contract Agreement (enclosed with GCC) forming part of Bid Documents within 30 (Thirty) days of receipt of the Letter of Award / Fax of Acceptance from Bharat Petroleum Corporation Limited.

I/ We further undertake to keep my/our Bid/offer open for a period as mentioned in Bid Data Sheet from the date of opening of bids.

Yours faithfully,
(Signature(s) of the Bidders(s))

Name & Designation of authorised person signing the Bid on behalf of the Bidder(s)
Full Name and address of the Bidder(s).
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Provident Fund Registration No. of the firm.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.2</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>ESI Registration No. of the firm</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.3</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Sales Tax Registration No. of the firm.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.4</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Service tax Registration No of the firm.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Excise Registration number</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Excise Range</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.7</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th><strong>Local ST No.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.8</td>
<td></td>
</tr>
</tbody>
</table>
FORM-C

(AS PER CL. NO. 15. 1 OF ITB)

SELF-CERTIFICATION

I, _____________________ S/o/D/o of _________________________________, working as CEO/CFO/Company Secretary (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.

It is certified that none of the documents are false/forged or fabricated. All the documents submitted has been made having 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 and (ii) provisions of bidding conditions 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.

DECLARATION

I, _____________________ S/o/D/o of _________________________________, working as CEO/CFO/Company Secretary (indicate, as applicable) of the Company _________________________________ having its registered office at ___________________________________________ with reference to our bid _________________________ against your Enquiry document ______________________________________, 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 provisions of the bidding documents including EIL/Owner’s right to put our company on Holiday/Black list for future business with EIL/Owner.

Specimen Signature of authorized representative

Signature

Name & Designation (CEO or CFO or Company Secretary)
A. **PROFORMA FOR SUBMISSION OF DETAILS OF SPECIFIC EXPERIENCE AS CALLED IN “QUALIFICATION CRITERIA” OF NOTICE INVITING BID/ TENDER (NIB/ NIT)**

Name of the Bidder:

<table>
<thead>
<tr>
<th>S. NO.</th>
<th>DESCRIPTION</th>
<th>DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DETAILS OF WORK(S) EXECUTED BY THE BIDDER COMPLYING THE REQUIREMENT OF PARA 5.0 OF NOTICE INVITING BID/ TENDER</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Name of Project and its location</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Description of work</td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Type of Work executed as per BQC of Notice Inviting Tender</td>
<td>YES</td>
</tr>
<tr>
<td>2.2</td>
<td>Type of Project where above work is executed (eg. Refinery/ Offshore/ Industrial Plant etc)</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Name of Owner, Postal Address, Phone/ Fax No./ E-mail Address</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Name of Consultant, Postal Address, Phone/ Fax No./ E-mail Address</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Details of Work executed and its completed value</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Milestone Dates</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Date of award : _______________</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Starting date : _______________</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scheduled Completion Date : ________</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Actual Completion Date : ________</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reasons for delay, if any : ________</td>
<td></td>
</tr>
<tr>
<td>S. NO.</td>
<td>DESCRIPTION</td>
<td>DETAILS</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
<td>---------</td>
</tr>
</tbody>
</table>
|       | Supporting Document for Experience Criteria | ● Whether copy of Work Order/ Contract Agreement enclosed  
YES                          NO  
Ref. No.: ______________________ dated  
● Whether Completion Certificate enclosed.  
YES                          NO  
Ref. No.: ___________________________ dated  
Date of Completion ________________  
● Whether Client Certificate for Performance of work enclosed.  
YES                          NO  
Ref. No.: ____________________________ dated ____________________  
Date of Completion ________________ |
| 7.    | Whether Worked as Contractor directly with Client or Sub-contractor of Contractor | Executed the Work as  
● Main Contractor ( )  
● Sub-contractor ( )  
In case of sub-contractor:-  
Please indicate the following:-  
(i) All activities of work were executed by the Sub-contractor. ( )  
Or  
Part activities were done by the Sub-contractor with the assistance from main Contractor. In such an event, following details shall be given:-  
Activities of work not done by Sub-contractor __ Assistance provided by main Contractor __ |
YES                          NO  
If Yes, submitted for the financial years  
1. ______________________  
2. ______________________ |
<table>
<thead>
<tr>
<th>S. NO.</th>
<th>DESCRIPTION</th>
<th>DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>CONFIRMATIONS</td>
<td>BIDDER'S CONFIRMATION</td>
</tr>
<tr>
<td>9.1</td>
<td>Confirm that you have completed the above work within last 07 years from bid due date submission</td>
<td></td>
</tr>
<tr>
<td>9.2</td>
<td>Confirm that supporting documents as per Sl. No. 6 &amp; Sl. No. 8 above has been submitted.</td>
<td></td>
</tr>
<tr>
<td>9.3</td>
<td>Confirm that the information furnished by you are correct and do not have any misrepresentation.</td>
<td></td>
</tr>
<tr>
<td>9.4</td>
<td>Confirm that all details as per this format along with supporting documents have been furnished in order to establish the experience and financial criteria. Failing which the bid may not be shortlisted for further evaluation.</td>
<td></td>
</tr>
</tbody>
</table>

Bidder to use separate format for different works.

**SIGNATURE AND STAMP OF BIDDER:**
FORM-E

COMPLIANCE TO BID REQUIREMENT

(AS PER Clause 10.1.1 (k) of ITB)

We hereby agree to fully comply with, abide by and accept without variation, deviation or reservation all technical, commercial and other conditions whatsoever of the Bidding Documents and Amendment/Addendum to the Bidding Documents, if any, for subject work issued by Owner/EIL.

SIGNATURE OF BIDDER: _______________________

NAME OF BIDDER: _______________________

COMPANY SEAL: _______________________

Engineers India Limited
## EXCEPTIONS AND DEVIATIONS

<table>
<thead>
<tr>
<th>SL.NO</th>
<th>REF OF BID DOCUMENT</th>
<th>SUBJECT</th>
<th>DEVIATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PAGE NO.</td>
<td>CLAUSE NO.</td>
<td></td>
</tr>
</tbody>
</table>

Bidder’s Declaration: We confirm that any exceptions/ deviations mentioned elsewhere in the unpriced bid stands withdrawn and shall not be considered for evaluation.

NOTE: This shall be submitted separately for Commercial & Technical Sections.

SIGNATURE OF BIDDER: ___________________________ NAME OF BIDDER: ___________________________

COMPANY SEAL: ___________________________
FORM-G

**SELF DECLARATION**

*(AS PER Clause 10.1.1 (o, p & q) of ITB)*

Bidder’s declaration as furnished in the here shall supersede the stipulations mentioned elsewhere in their bid.

<table>
<thead>
<tr>
<th>SL. NO.</th>
<th>DESCRIPTION</th>
<th>BIDDER’S DECLARATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>We confirm that we are not involved in any Litigation/ Arbitration, otherwise, if involved please furnish information about the same.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>We confirm that we are not on holiday/negative/suspension/banning list of OWNER or EIL or MOP &amp; NG or other oil PSE.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>We confirm that we are not under liquidation, court receivership or similar proceedings.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>We confirm that the content of the Bidding Document including schedule of rates/prices and Corrigendum / Addendum (if any) have not been altered or modified.</td>
<td></td>
</tr>
</tbody>
</table>
CHECK LIST FOR SUBMISSION OF BID

Bidder is requested to fill this check list and ensure that all details/documents have been furnished as called for in the Bidding Document.

Please tick the box and ensure compliance:

(A) **PART-III - ORIGINAL DOCUMENTS**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Documents</th>
<th>Submitted</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Bid Security / MSE certificate in accordance with Clause 18.0 of ITB</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Booklet titled as “Documentation against Bidder Qualification Criteria (Technical, Commercial &amp; Financial)” in accordance with Clause 15.0 of ITB and including Form-D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Integrity Pact, duly stamped &amp; signed on each page by Authorized signatory of Bidder (holding Power of Attorney)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Valid Power of Attorney in favour of signatory (ies) of the bid</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(B) **PART-I - TECHNO-COMMERCIAL/ UNPRICED BID**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Documents</th>
<th>Submitted</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Bid forwarding letter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Table of Contents of the Bidding Document and Amendment/addendum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Copy of Power of Attorney in favour of person (s) digitally signing the bid that such person (s) is/are authorised to sign the bid on behalf of the bidder and any consequence resulting due to such signing shall be binding on the bidder.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>In case of bids submitted by a JV, if permitted in BDS, shall include a copy of the Joint Venture Agreement entered into by all members</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Bid Form as per Bidding Form-A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Information about Bidder in accordance with Bidding Form B</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Detailed Financial Statement for the preceding three financial year as per Bidding Form-L.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>S.No.</td>
<td>Documents</td>
<td>Submitted</td>
<td>Not Applicable</td>
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<tr>
<td>------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------</td>
<td>----------------</td>
</tr>
<tr>
<td>8.</td>
<td>Past experience along with details and supporting documentation as called for in the Bidder qualification criteria as per <strong>Bidding Form-D</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Copies of documents defining constitution or legal status, place of registration and principal place of business of the Company</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Compliance to Bid requirement (<strong>Bidding Form-E</strong>)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Self-Declaration as per <strong>Bidding Form- G</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Bank Mandate Form duly signed and stamped with the Banker’s certification as per <strong>Bidding Form-I</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Unpriced copy (without price) of Schedule of Rates/Prices</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Compliance to Requirement of Pan No., Tax Residency Certificate and Form No.10 as per GCC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>PAN No.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Tax Residency Certificate (TRC) containing prescribed particulars &amp; <strong>Form No. 10 F</strong> as per GCC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Minimum requirement of Construction Equipment to be mobilized by the contractor as per <strong>Annexure-VI to SCC.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Key Construction Manpower to be deployed by the contractor as per <strong>Annexure-VII to SCC.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Integrity Pact</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Proof of valid PF/ VAT/ Service Tax registration and PAN</td>
<td></td>
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</tr>
</tbody>
</table>

(C) **PART-II- PRICE BID**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Documents</th>
<th>Submitted</th>
<th>Not Applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Schedule of Prices with rates/ prices filled in (including rebate, if any).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
BANK MANDATE FORM
(AS PER Clause 10.1.1 (m) of ITB)

1. Bidder Name : 
2. Bidder Code : 
3. Address of the Bidder : 
4. Particulars of Bank Account of Bidder:
   a. Name of the Bank : 
   b. Name of the Branch and Address of the Branch : 
   c. Branch Code : 
   d. 9-Digit MICR code Number of the Bank & Branch
      (As appearing in the MICR Cheque issued by the bank)
      (Please do not give multicity cheque book code Number)
   e. Type of account (Saving Bank, Current or Cash Credit) : 
   f. Account Number : 
   g. RGTS/IFSC Code (11 digit) : 
   h. NEFT Code No. : 
5. E-mail address of the Bidder : 
6. Contact Person(s) of the Bidder : 

I/we declare that the particulars given above are correct and complete and I/we accord our consent for receiving all our payments through Electronic Mechanism.

(Signature and designation of the Authorised person(s) of Bidder)

Official seal of the Bidder

Place : 
Date : 

BANK CERTIFICATION

Certified that the particulars furnished above are correct as per our records.

Place : 
Date : 

Signature of the Authorised Official of the Bank

Bank’s Stamp
FORM – J

(AS PER Clause 10.1.1 (q) of ITB)

Applicable for foreign bidder. Format of TRC & 10F are already attached with GCC.
FOR BIDDERS’ QUERIES
(AS PER Clause 5.2 of ITB)

<table>
<thead>
<tr>
<th>SL. NO.</th>
<th>REFERENCE OF BIDDING DOCUMENT</th>
<th>BIDDER’S QUERY</th>
<th>EIL REPLY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PART/VOL.</td>
<td>PAGE NO.</td>
<td>CLAUSE NO.</td>
</tr>
</tbody>
</table>

NOTE: The Pre-Bid Queries may be sent on fax numbers and also by e-mail to concern persons, the details of which is provided in BDS/ IFB.

SIGNATURE OF BIDDER : _______________________________

NAME OF BIDDER : _______________________________
FINANCIAL DETAILS
(AS PER Clause 10.1.1 (h) of ITB)

FINANCIAL DATA FOR IMMEDIATE PRECEDING THREE AUDITED ANNUAL FINANCIAL YEARS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Immediate preceding Financial Year (______)</td>
</tr>
<tr>
<td>1. Annual Turnover</td>
<td></td>
</tr>
<tr>
<td>2. Net Worth</td>
<td></td>
</tr>
<tr>
<td>3. Working Capital</td>
<td></td>
</tr>
</tbody>
</table>

SIGNATURE OF BIDDER: ________________________________
NAME OF BIDDER: ________________________________

Note: Bidder shall submit the supporting documents as per requirements of Notice Inviting Bid (NIB).
Annexure – 1 to ITB

E-TENDERING METHODOLOGY

Instructions for Online Bid Submission:

The bidders are required to submit soft copies of their bids electronically on the CPP Portal (URL: http://eprocure.gov.in) only, using valid Digital Signature Certificates. The instructions given below are meant to assist the bidders in registering on the CPP Portal, prepare their bids in accordance with the requirements and submitting their bids online on the CPP Portal.

More detailed information useful for submitting online bids on the CPP Portal may be obtained at: https://eprocure.gov.in/eprocure/app.

REGISTRATION

1) Bidders are required to enroll on the e-Procurement module of the Central Public Procurement Portal (URL: https://eprocure.gov.in/eprocure/app) by clicking on the link “Click here to Enroll” on the CPP Portal is free of charge.

2) As part of the enrolment process, the bidders will be required to choose a unique username and assign a password for their accounts.

3) Bidders are advised to register their valid email address and mobile numbers as part of the registration process and submit in EIL tender portal for updation of records (http://tenders.eil.co.in). These details would be used for any communication from the CPP Portal.

4) Upon enrolment, the bidders will be required to register their valid Digital Signature Certificate (DSC) (Class II or Class III Certificates with signing key usage) issued by any Certifying Authority recognized by CCA India (e.g. Sify / TCS / nCode / eMudhra etc.), with their profile.

5) Foreign Bidders have to refer “DSC details for foreign Bidders” for Digital signature Certificates requirements which comes under Download Tab at https://eprocure.gov.in/eprocure/app and the remaining part is same as above and below.

6) Only one valid DSC should be registered by a bidder. Please note that the bidders are responsible to ensure that they do not lend their DSC’s to others which may lead to misuse.

7) Bidder then logs in to the site through the secured log-in by entering their user ID / password and the password of the DSC / e-Token.

SEARCHING FOR TENDER DOCUMENTS

1) There are various search options built in the CPP Portal, to facilitate bidders to search active tenders by several parameters. These parameters could include Tender ID, organization name, location, date, value, etc. There is also an option of advanced search for tenders, wherein the bidders may combine a number of search parameters such as organization name, form of contract, location, date, other keywords etc. to search for a tender published on the CPP Portal.

2) Once the bidders have selected the tenders they are interested in, the same can be moved to the respective ‘My Tenders’ folder. This would enable the CPP Portal to intimate the bidders through SMS / e-mail in case there is any corrigendum issued to the tender document.
3) The bidder should make a note of the unique Tender ID assigned to each tender, in case they want to obtain any clarification / help from the Helpdesk.

PREPARATION OF BIDS

1) Bidder should take into account any corrigendum published on the tender document before submitting their bids.

2) Please go through the tender advertisement and the tender document carefully to understand the documents required to be submitted as part of the bid. Please note the number of covers in which the bid documents have to be submitted, the number of documents - including the names and content of each of the document that need to be submitted. Any deviations from these may lead to rejection of the bid.

3) Bidder, in advance, should get ready the bid documents to be submitted as indicated in the tender document and generally, they can be in PDF / XLS / RAR / DWF formats. Bid documents may be scanned with 100 dpi with black and white option. However, Price Schedule / SOR shall be strictly in RAR format without altering any contents of the formats uploaded by EIL in their Bidding Document.

4) To avoid the time and effort required in uploading the same set of standard documents which are required to be submitted as a part of every bid, a provision of uploading such standard documents (e.g. PAN card copy, annual reports, auditor certificates etc.) has been provided to the bidders. Bidders can use “My Space” area available to them to upload such documents. These documents may be directly submitted from the “My Space” area while submitting a bid, and need not be uploaded again and again. This will lead to a reduction in the time required for bid submission process.

SUBMISSION OF BIDS

1) Bidder should log into the site well in advance for bid submission so that he/she upload the bid in time i.e. on or before the bid submission time. Bidder will be responsible for any delay due to other issues.

2) The bidder has to digitally sign and upload the required bid documents one by one as indicated in the tender document.

3) Bidder has to select the payment option as “offline” to pay the tender fee / EMD as applicable and enter details of the instrument.

4) Bidder should prepare the EMD as per the instructions specified in the tender document. The original should be posted/couriered/given in person to the Tender Processing Section, with in 7 calendar days of the date of Unpriced bid opening. The details of the DD/any other accepted instrument, physically sent, should tally with the details available in the scanned copy and the data entered during bid submission time. Otherwise the uploaded bid will be rejected.

5) A Price Bid format has been provided with the tender document to be filled by all the bidders. Bidders are requested to note that they should necessarily submit their financial bids in the format provided and no other format is acceptable. Bidders are required to download the Price Bid file, open it and complete the cells with their respective financial quotes and other details (such as name of the bidder). No other cells should be changed. Once the details have been completed, the bidder should save it and submit it online, without changing the filename. If the Price Bid file is found to be modified by the bidder, the bid will be rejected.
6) The server time (which is displayed on the bidders' dashboard) will be considered as the standard time for referencing the deadlines for submission of the bids by the bidders, opening of bids etc. The bidders should follow this time during bid submission.

7) All the documents being submitted by the bidders would be encrypted using PKI encryption techniques to ensure the secrecy of the data. The data entered cannot be viewed by unauthorized persons until the time of bid opening. The confidentiality of the bids is maintained using the secured Socket Layer 128 bit encryption technology. Data storage encryption of sensitive fields is done.

8) The uploaded tender documents become readable only after the tender opening by the authorized bid openers.

9) Upon the successful and timely submission of bids, the portal will give a successful bid submission message & a bid summary will be displayed with the bid no. and the date & time of submission of the bid with all other relevant details.

10) The bid summary has to be printed and kept as an acknowledgement of the submission of the bid. This acknowledgement may be used as an entry pass for any bid opening meetings.

RETENDER

1) Please note that if Tender has been retendered, than it is mandatory for the bidder to submit their offer again on CPP Portal.

ASSISTANCE TO BIDDERS

1) Any queries relating to the tender document and the terms and conditions contained therein should be addressed to the Tender Inviting Authority for a tender or the relevant contact person indicated in the tender.

2) Any queries relating to the process of online bid submission or queries relating to CPP Portal in general may be directed to the 24x7 CPP Portal Helpdesk. The contact number for the helpdesk is 1800 3070 2232.