

## NOTICE INVITING E-TENDER

Indian Oil Corporation Limited (Marketing Division) is having its Ahmedabad LPG bottling plant at Village: Sanand, Taluka: Sanand, Distt: Ahmedabad, Gujarat – 382110, invites digitally signed e- tender in “Two-Bid System” (Part A: Technical-Bid with Commercial Terms and Part B: Price-Bid) from indigenous bidders meeting the minimum PQC (pre-qualification criteria) for award of contract for “Engineering, Procurement, Construction (EPC) inclusive of 1-Year Comprehensive Operation & Maintenance (O&M) of 1.2MWp On-Grid Captive Solar Power Project at IndianOil BP, Sanand, Ahmedabad with Net-Metering Facility and its further Comprehensive O&M for 4 Years.” as per Schedule terms the Tender and conditions given below:

Tender schedule:

1	Tender Number	WRCC/2022-23/PT/04
	Tender ID	2022_WRO_150630_1
	Type of tender	Open tender
2	Name of Work	Engineering, Procurement, Construction (EPC) inclusive of 1-Year Comprehensive Operation & Maintenance (O&M) of 1.2MWp On-Grid Captive Solar Power Project at IndianOil BP, Sanand, Ahmedabad with Net-Metering Facility and its further Comprehensive O&M for 4 Years.
3	Work Location (Project Site)S	Indane LPG bottling plant, Village :Sanand, Taluka : Sanand, Distt :Ahmedabad, Gujarat – 382 110
4	Estimated value of Works	Rs. 5,89,81,438/- (Rupees Five Crore Eighty Nine Lakh Eighty One Thousand Four Hundred Thirty Eight Only) Inclusive of applicable GST as per Govt. Norms as applicable for works presently and shall be taken as applicable from time to time & O & M for 5 yrs. The quantum of works given in Tender Document is only indicative based on tentative estimates and is not the right of contractor. Indian Oil does not guarantee any minimum or maximum quantum of works, during the currency of contract.  Rs. 5,17,47,800/- (Rupes Five Crore Seventeen lakhs fourty seven thousand eight hundred only) Excluding GST

5	Earnest Money Deposit (Returnable with NO interest)	<p>Requirement of EMD against this tender has been waived by requirement of submission of Bid Security Declaration in lieu of EMD.</p> <p>All bidders have to mandatorily submit “Bid Security Declaration in lieu of EMD” as per following Format in NIT</p> <p>Requirement for submission of Bid Security Declaration shall also be applicable on bidders who are exempted from payment of EMDs (MSEs as per PPP, Startups, CPSEs and JVs).</p> <p>In case of non-submission of Bid Security Declaration, the bid will be liable for rejection.</p>
6	Cost of Tender documents	--NIL-- (Tender documents can be downloaded free of cost from e-Tender website)
E-Tender website : <a href="https://iocletenders.nic.in">https://iocletenders.nic.in</a>		
7	(a) Tender download starts on	02.05.2022 at 15:00 Hours (IST)
	(b) Tender download closes on	27.05.2022 at 15:00 Hours (IST)
	(c) Pre-bid conference date, time and place	<p>06.05.2022 at 11:00 Hours (IST)</p> <p>Any clarification sought by the tenderer regarding the tender shall be attended in the Pre Bid meeting. Hence, Tenderers are advised to attend the Pre-Bid meeting at our office (at address mentioned below in NIT). Tenderer may note that the Pre bid Minutes uploaded in the tender after Pre bid meeting shall form a part of tender document. Hence tenderer shall have to accept all the terms &amp; condition of the Pre Bid Minutes for quoting their offer. Bidder MUST send their Query on E mail address given irrespective of whether he/she attend pre bid Meeting or not, one day Prior to Pre bid Meeting Scheduled date.</p>

	(d) Last date and time for submission of completed E-Tender documents  online	27.05.2022 at 15:00 Hours (IST)
8	Date and time of opening of tender (Technical Bid Only)	30.05.2022 at 15:00 Hours (IST)
9	Verification of the documents submitted in the tender along with their originals	<p>Successful bidder (L-1) shall be required to present their original documents to the tender inviting authority within a period of 7 days from the date of opening of price bids OR as intimated from IOCL.</p> <p>Note:</p> <p>The responsibility of the authenticity of the documents shall be with bidders.</p> <p>In the event of failure of the bidder to get the documents verified as per the specified time schedule, the EMD of the party shall be forfeited.</p> <p>In case it is observed that the L1 party has submitted the forged documents, besides the cancellation of tender, necessary action for holiday listing of the party in line with the guidelines shall be carried out including forfeiture of EMD.</p>
10	Contact person	<p>GM (Plant), Sanand Bottling Plant</p> <p>Brajesh@indianoil.in / Contact No. :-9473192690 [for Site visit]</p> <p>Chief Manager (Contracts)</p> <p>Indian Oil Bhavan, Plot C-33, "G" Block,</p> <p>Bandra Kurla Complex, Bandra (East), Mumbai- 400 051</p> <p>avparmar@indianoil.in / Contact No.: 022 2672 2420</p>
11	Expected Date of start of contract	10th Day from the date of issue of work order or handing over of the site whichever is later.

12	No. of contractors required	01 (One)
13	Special note for consultants or their subsidiary company (As applicable)	The consultants or their subsidiary company or companies under the management of consultant, are not eligible to quote for the execution of the same job for which they are working as consultant.
14	Validity of quoted rates	Offer shall be valid for 180 Days from date of opening of technical bid. In case of requirement, IOCL may seek further extension of the validity of the offer from the bidders.
15	Contract Period	Part A: 18 months (6 months for project commissioning + 12 months of 1-Year Inclusive O&M) from date of handing over of site free of trees/shrubs/vegetation.  Part B: 48 months from date of completion of Part-A

16	Court of Jurisdiction	For disputes up to stage of LOA - Mumbai. For disputes during execution stage - Ahmedabad.
17	Security deposit (sd)	3% of the total Contract value excluding taxes. SD can be deposited as per the mode/process given in GCC.
18	Price adjustment in delay in completion	Clause 38 of SCC  ½% of cumulative value of works done per week or part thereof (maximum 10%).  GST on the said amount to be paid/borne by contractor.
19	Escalation / de- escalation	Escalation / de-escalation shall not be applicable.
20	MODE OF TENDER SUBMISSION	You may please note that this is an e-Tender and can only be downloaded and submitted in the manner specified in ‘Special Instructions to bidders for participating in e-tender’ attached separately in this tender.
21	Implementation of guideline pertaining to Insolvency and Bankruptcy Code (IBC) in tender	
a.	IBC	Undertaking related to Insolvency & Bankruptcy Code, 2016  – Applicable / Not applicable (Refer Annexure-J), to be submitted by the bidder along with Bid.
b.	Undertaking related to Insolvency & Bankruptcy Code, 2016	Bidders under insolvency or liquidation or Bankruptcy proceedings under insolvency and Bankruptcy Code, 2016  Offers from the following type of bidders shall not be considered:  If the bidder is undergoing insolvency resolution process or liquidation or bankruptcy proceeding under insolvency and Bankruptcy Code, 2016 (code) or any other applicable law (in case where code is not applicable),  Insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the Code or any other applicable law (in cases where code is

not applicable) against/by the bidder at any stage of evaluation of the bid.

In the event, insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the Code or any other applicable law (in cases where code is not applicable) against/by the bidder, after submission of its bid but at any stage of evaluation of the bid, it will be the responsibility of the bidder to inform IOCL within 15 days from the date of order of insolvency resolution process or liquidation or bankruptcy proceeding passed by the Adjudicating Authority namely, National Company Law Tribunal (NCLT) or Debt Recovery Tribunal (DRT) under the Code or any other applicable law (in cases where code is not applicable).

If bidder refuses or fails to share the information regarding their status of insolvency resolution process or liquidation or bankruptcy proceeding as sought hereinabove, in their bid or at any later stage, as applicable, their offer is liable to be rejected by IOCL and without prejudice to any other remedy or action available with IOCL, IOCL shall forfeit the Earnest Money Deposit provided by the bidder, in any form whatsoever.

IOCL reserves the right to cancel/terminate the contract without any liability on the part of IOCL immediately on the commencement of insolvency resolution process or liquidation or bankruptcy proceeding of any party under the contract.

In case where the bid of L-1 bidder is rejected on the aforesaid grounds during the period between Price-Bid-Opening and

Award-of-Contract, then the bid of the next higher eligible bidder will be considered for future processing.

If bidder fails to share or misrepresents the information regarding their status of insolvency resolution process or liquidation or bankruptcy proceeding as sought hereinabove and the bidder's bid results in a contract, IOCL, without prejudice to any other any other remedy or action available with IOCL, shall be within its rights to terminate the resultant contract.

		A declaration/ undertaking shall be submitted by the bidder in the attached format along with the techno-commercial bid. (Annexure- J).
22	Instruction to Bidder/STC	<p>Tenderers who have transferred their ownership rights either in whole or in part to another entity or under process of transfer shall intimate the same to IOCL in their letter head while submitting the bid. IOCL reserves its right to reject the tender of any entity, which has transferred its ownership rights in whole or in part or which is in process of transfer without assigning any reason for such rejection.</p> <p>If the tenderer refuses or fails to share the information regarding their status of any kind of business transfer process/ restructuring etc, in their tender or at any later stage, as applicable, their tender is liable to be rejected by IOCL and without prejudice to any other remedy or action available with IOCL, IOCL shall forfeit the Earnest Money Deposit provided by the tenderer, in any form whatsoever.</p> <p>Only standalone credentials against PQ criteria shall be considered for evaluation of bid.</p>

## 2 Pre Qualification Criteria:

### 2.1 Qualifying Parameter for Work Order and Annual Turn Over

Parties who have the minimum qualifications as per details given below only need apply. Bidders are required to upload PQC documents along with tender within the time limits stipulated for submission of e-tenders.

Sr. No.	Qualifying Parameters For Parties
a)	<p>Similar works criteria:</p> <p>Bidders should have experience of successfully completed similar works during last 5 (Five) years up to the Last day of the month previous to the one in which tender is being invited should be either of the following; (Values are inclusive of ( 'Goods and service tax') [ie completion between 01.05.2017</p>

	to 30.04.2022]
i.	Three similar completed works each costing not less than the amount equal to Rs 1,69,15,277/- including GST OR
ii.	Two similar completed works each costing not less than the amount equal to Rs 2,25,53,703/- including GST OR
iii.	One similar completed works each costing not less than the amount equal to Rs. 2,81,92,129/- including GST
b)	Annual Turnover:  The annual turnover of the tenderer during any of the preceding three financial years ending on 31.03.2022 (i.e. 2019-20, 2020-21, 2021-22) should be at least Rs 3,38,30,554/-

**Proof of Completion of SUBMITTED IOCL WOs may be Established from internal records, however WOs & relevant documents need to be submitted by bidders.**

Definition of similar works

**“Experience in successful completion of ‘Engineering, Procurement & Construction (EPC) of greater than or equal to (>=) 0.6 MWp On-Grid Solar Power Project with Net-Metering Facility in any industry’ during last 5 (Five) years up to last day of month previous to one in which tender is being invited for minimum above mentioned value”**

Note to Similar work:

a. The Work Order should contain the above similar work items and for qualification purpose the entire executed value of Work Order (which may contain any other item) shall be considered.



**b. Such order as detailed above, should have been satisfactorily carried out by the party directly in their name as a direct order and not in any other name i.e. MOUs / JV /Sister concern/Agent and sub-contracted work will not be considered.**

c. Rate Contracts shall not be accepted against Similar Work Criteria, however individual POs issued under Rate Contracts will be considered

Exclusion of AMC value:- The estimate cost exclusive of AMC value shall be used for arriving at Single/Two/Three completed work order value

2.2 Documents for pre-qualifying (PQ) criteria (to be uploaded online along with bid):

Sr. No.	Description
1	Work Order(s) indicating items of work in support of Qualifying Work Order(s) value as per NIT and documents mentioned in a) and b) below as a proof of Completion :
a)	<p>In case of work orders from Government Bodies/PSUs:</p> <p>Copies of contract document(s) along with either Completion certificates OR duly Certified copy of bill/Invoice.</p> <p>Copy of contract document may not be insisted if completion certificate/ Bill/Invoice Copy specifies details otherwise required like Date of PO/ Contract Agreement, Contract Value, Execution Value, date of completion &amp; other requirements, if any.</p>
b)	<p>In case of work orders from Private Parties, in addition to the mentioned documents as above in following shall also be required to be submitted:</p> <p>i. Certificate from Chartered Accountant (CA) certifying value of work done with TDS certificates (where applicable)/bank statement.TDS Certificates/ Bank Statements shall be used as corroborative evidence only</p>
c)	<p>In case of foreign currency transaction to Indian firms, proof of remittance shall also be required.</p>

2	<p>Copies of AUDITED BALANCE SHEET and PROFIT &amp; LOSS (P&amp;L) account statements of last three financial years (2018-19, 2019-20, 2020-21, 2021-22).</p> <p>Copies of AUDITED BALANCE SHEET and PROFIT &amp; LOSS (P&amp;L) account statements of 2018-19 financial year, In case of non-availability of audited balance sheets (profit &amp; Loss Statement)/ Published accounts of immediate preceding years 2021-22.</p>
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### 2.3 Annual Turnover:

The amount mentioned above for annual turnover is to be considered During evaluation the turnover is taken from P&L Statement.

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

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

For tenders invited during April-September In case of non-availability of audited balance sheets (profit & Loss Statement)/ Published accounts of immediate preceding years, the audited balance sheet (P&L Statement) / published account of 4th preceding financial year 2018-19 shall also be acceptable.

Audited Balance Sheet and P&L account statement/ Published accounts on a calendar year basis shall also be acceptable.

Provisional Balance Sheet and P&L account statement will not be considered for evaluation, even if same is uploaded.

The balance sheet copy MUST bear the Registration Number of the authorized Chartered Accountant and its SEAL. This is not applicable for published annual reports.

### 2.4 Other Commercial Criteria ( to be uploaded along with the bid)

PAN Card

PF Registration Certificate

GST Registration Certificate

Partnership deed of Certificate of Incorporation with Memorandum & Articles Association  
(Proprietorship firms are not required to submit this document)

Power of Attorney (POA): Authority of the person uploading the bids with his DSC shall be required to be submitted in the bids. Document required showing the authority of the person uploading & submitting the bid with his Digital Signature Certificate shall be as given in the following table; [DSC HOLDER]

a) In case of Proprietary Concern	If the bid is submitted by Proprietor, no POA required. However, he will upload undertaking certifying that he is sole proprietor.  If the bid is submitted by person other than proprietor, POA authorizing the person to submit bid on behalf of the concern.
b) In case of Company	Certified copy of Board Resolution authorizing the person submitting the bid on behalf of the company. OR  POA and the supporting Board Resolution authorizing the person submitting the bid on behalf of the company.
c) In case of Partnership firm/LLP	I. POA along with Deed of Partnership/LLP Agreement.
d) In case of Co-Operative Society	I. Copy of Resolution Passed as per Society Rules.

Undertakings and Declarations: "Holiday Listing" of technical/commercial bid (tender) documents

Undertakings and Declarations for non tampering.

Undertakings and Declarations: Acceptance of tender terms and conditions as per format separately attached with this tender, on company/party/tenderers letterhead with seal and signature. Bidder shall upload this document instead of complete set of tender documents as a token of their acceptance.

ix) Performa for declaration of NCLT/NCLAT/DRT/DRAT

## 2.5 EVALUATION CRITERIA:

The techno- commercial bid shall be scrutinized and evaluated based on the qualifying parameters mentioned above and on the basis of the uploaded documents in e-tender portal.

The Price Bid of only those parties shall be opened who qualify as per the qualifying parameters after evaluation as mentioned above. Prior intimation will be sent to the qualifying parties regarding due date and time of opening of Price Bid.

Negotiations shall not be conducted with the bidders as a matter of routine. However, Corporation reserves the right to conduct negotiations. Tenderers will have to attend the office of INDIAN OIL CORPORATION LIMITED as informed by Tender Issuing Authority for negotiations/clarifications as required in respect of their quotation without any commitment from INDIAN OIL CORPORATION LIMITED.

The bidders have to quote single percentage in BOQ (Price Bid). The tender shall be evaluated on overall cost to IOCL after tendering and reverse auction. Lowest amount after Reverse Auction shall be considered as L1 rate and shall be considered for award of work, with or without negotiation as per the policy of the Corporation.

The **lowest price** [excluding GST] shall be available on the Reverse Auction screen at any point of time during the Auction process. This displayed price is the evaluated price based on which the lowest bid is determined as per evaluation criteria/Tender Terms & conditions i.e. **lowest price** [excluding GST]. Accordingly, the bidder will put his quote in the Auction window if he wants to offer the reduced price considering the evaluation criteria as per Price Bid (BoQ) / Tender Terms & Conditions. Evaluation of parties for determining L-1, L-2....Ln etc. would be done based on **lowest price** [excluding GST]

Evaluation criteria in case of tie i.e. identical rates quoted by more than one party:

In case of tie between two or more bidders at L-1 position, all the L-1 bidders shall be asked to submit discount bid in terms of percentage discount over previous quoted amount in a sealed envelope after taking the approval of the competent authority as per Corporation policy. Above exercise shall currently be an offline activity outside the e-portal.

In case the bidder has been asked to submit price bid/price implication in physical form, the use of white/erasing fluid for correcting the rates is banned. Wherever the rates are corrected with white/erasing fluid, the bids will be summarily rejected.

The sealed envelopes shall be opened jointly by one member from tendering group and one from Finance on the specified date. The bidders while seeking revised bids shall be advised to witness the opening of sealed envelopes.

In case there is a tie again, the bidder with the highest turnover worked out to three decimal points in any of the last three years as submitted against Turnover criteria shall be considered as L1 bidder. In the event of bidder submitting turnover documents for only one or two years, L1 shall be decided on the basis of turnovers submitted

In the absence of response (non-receipt of revised bid/implication or request for extension of submission of revised bid), the bid will be treated as one with NIL additional discount.

#### 2.6 Reverse Auction:

Reverse Auction (RA) will be conducted for finalizing this tender. In case of technically-commercially accepted bidder are 4 or more; The Highest bid(H1) received in Price Bid (BOQ) against the tender shall not be eligible to participate in the reverse auction process and his bid will be rejected automatically.

The lowest price shall be available on the Reverse Auction screen at any point of time during the auction process. This displayed price is the evaluated price based on which the lowest bid is determined as per the evaluation criteria/Tender Terms and conditions. Accordingly the bidder will put his quote in Auction window if he wants to offer the reduced price considering the evaluation criteria as per the Price Bid (BoQ)/ Tender Terms and Conditions.

Whenever required, the Evaluation factor/criteria shall be informed to the bidders before start of RA. In other case the bidder shall calculate his final evaluated price as per BOQ or evaluation criteria mentioned in the tender document and quote accordingly.

The lowest quote after end of Reverse Auction shall be considered for further processing.

## 2.7 Foreign Currency conversion rates:

In case of credentials in foreign currencies, the same will be converted to INR based on SBI TT Selling rate as on the 30.04.2022.

## 2.8 Ambiguity / Incomplete documents:

Notwithstanding any other condition / provision in the tender documents, bidders are required to submit complete tender document, pertaining to PQC along with their offer. Failure to meet the PQC will render the bid to be summarily rejected”

IOC reserve the right to complete the evaluation based on the details furnished by the bidder, with or without seeking any additional document supporting documents / Clarifications.”

3.0 Extension of time Line for Tender:- Corporation reserves the right to revise/extend any Date/time from scheduled time lines of published tender.

4.0 Other Documents :Following copies of the documents are to be submitted by the successful bidder prior to the placement of work order:

Undertaking for non-engagement of child labor as per of technical/commercial bid (tender) documents.

Safety Declaration as per of technical/commercial bid (tender) documents.

Undertakings and Declarations: "A, B, C & D" of technical/commercial bid (tender) documents

ESIC Certificate (If applicable) and Indemnity bond as per format attached with the tender.

#### 5.0 Other Points:

General Information: The e-Public Tender shall be invited in two bid system on percentage (%) rate basis and therefore, the price bid schedule with rate of all the items shall be uploaded with tender document and bidder shall be asked to quote for above (+) / below (-)/ at par (0) over the IOCL price bid/'Rate Schedule/BOQ' on the total amount indicated in the tender at appropriate place as per format of price bid (excel file) of e-tender attached with the tender documents. The quoted rate in percentage shall be applicable uniformly on all the items of price schedule. The SOR rates are inclusive of all components forming part of rates unless otherwise defined exclusively except applicable GST which will be paid extra. Bidder to quote rate considering in- put credit available to bidders.

Each tenderer can submit only one bid.

The bid of the party will be rejected on the following grounds:

It is clarified that if any person submits more than one bid either individually or in any combination of persons (individual capacity, proprietor, affiliates, partnership, association of persons, Company), then all such multiple bids shall be liable for rejection.

Bids from Consortium or MOU parties shall not be accepted.

The tenders will be liable for rejection if BID SECURITY DECLARATION IN LIEU OF EMD not Submitted.

Tenderer not meeting tender qualifying parameter norms specified / not submitting pre- qualifying and mandatory documents as per NIT.

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

Tenderer submitting fabricated/ false/ forged documents for the tender.

A bidder who offers unsolicited reduction in the price offer whether before or after the opening of the price part of the tender(s)/bid(s) shall be liable to have his/its/their bid(s) rejected. Bidders may, however, at any stage offer a reduction if such reduction is solicited or if the OWNER gives the Bidder an opportunity to offer such reduction.

Tenderer put on holiday list during the pendency of this tender.

The work being non divisible in nature no purchase preference shall be given to MSE bidder for the subject tender.

All bidders must login and visit their DASHBOARD on regular basis to get the timely updates related to any communication sent in the form of e-mail/SMS by system.

Bidders may note that the following are attached separately and uploaded in the e-tendering portal:

Special Instructions to bidders for participating in e-tendering

FAQ's –online EMD facility in IOCL e-tendering and

Format for Acceptance of Tender Terms and Conditions.

The future rate variation in taxes shall be governed by the Standard Taxation Conditions.

The bidder is required to submit valid documents for taking GST credits as applicable during execution of contract and comply with all prevailing statutory requirement as per Govt. rule as applicable.

Abatement, if any, shall be applicable as per Govt. norms from time to time.

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