

NOTICE INVITING e-TENDER

Tenders in two-bid system (a) Technical bid with commercial terms and (b) Price Bid are invited from reputed, established and financially sound parties for the works specified in NIT below.

1.	Tender No.	:	DSO/ENG/LT-62/2022-23
2.	E-Tender ID	:	2023_DLSO_163151_1
3.	Name of Work	:	Engineering, Procurement, Construction (EPC) inclusive-of 1-Year Comprehensive Operation & Maintenance (O&M) of 70.0 KWp On-Grid Captive Solar Power Project with its further Comprehensive O&M for 4 Years And provision of Solar street light with 05 years Warranty at Rewari Terminal, Haryana
4.	Estimated Value of Work	:	Rs.44,47,282.00/- (including GST)
5.	Place of Work	:	IOCL Rewari Terminal, Haryana GSTIN- 06AAACI1681G1ZT
6.	Tender Fee	:	Nil
7.	Earnest Money Deposit	:	Earnest Money Deposit Bidders to note that there shall be no requirement of paying EMD against this e-Tender. However, all bidders shall be required to mandatorily submit the Bid Security Declaration in lieu of EMD as per the standard format attached. The requirement of submission of Bid security Declaration shall also be applicable on bidders who are exempted from payment of EMD (MSEs as per PPP, Startups, CPSEs and JVs). The bid shall be summarily rejected if bid security declaration in lieu of EMD is not uploaded in e-Tendering portal on or before tender submission date and time
8.	TENDER DOWNLOAD PERIOD FROM e-TENDER PORTAL:		
	a) Starts on	:	As per e-tender portal.
	b) Ends on	:	As per e-tender portal.
9.	PRE BID MEETING	:	As per e-tender portal.
10.	SUBMISSION OF TENDER INTO e-TENDER PORTAL:		
	a) Starts on	:	As per e-tender portal.
	b) Ends on	:	As per e-tender portal.

11.	DUE DATE FOR OPENING OF TENDER:		
12.	Opening of Tender (Technical Bid Only)		As per e-tender portal.
13.	Work Completion	:	Part A: Completion Period shall be 16 months (4 months for project commissioning + 12 months of inclusive O&M) from the 10 th day of issuance of LOA or date of site hand over whichever is earlier. Part- B: After successful completion of part A, 48 months for Comprehensive O&M. Note: 4 months for project commissioning includes all works i.e. 70 kWp Solar plant and Solar street lights.
14.	Tender Validity	:	4 (Four) Months from the date of Technical Bid opening

15. All parties are requested to start the submission process at least 4 hours prior to the submission end date to avoid problem in submitting documents due to last minute rush.

16. **TENDER EVALUATION CRITERIA:-**

a) **Qualification Criteria :**

i. Similar Work Criteria : Not Applicable

ii. Annual Turnover Criteria : Not Applicable

iii. Other Commercial Criteria : Following other criteria shall also be considered for commercial evaluation:

S.No	Other commercial criteria	Documents to be submitted
a)	Power of Attorney/ Board Resolution in favor of tender signing Authority	<p>Authority of the person uploading the bids with his DSC (Digital Signature Certificate) 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 per the following:</p> <p><u>In case of Proprietary Concern:</u></p> <ul style="list-style-type: none"> • If the bid is submitted by the 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. <p><u>In case of Company:</u></p>

S.No	Other commercial criteria	Documents to be submitted
		<ul style="list-style-type: none"> • 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. <p><u>In case of Partnership Firm/LLP:</u></p> <ul style="list-style-type: none"> • POA along with Deed of Partnership / LLP Agreement. <p><u>In case of Co-Operative Society:</u></p> <ul style="list-style-type: none"> • Copy of resolution passed as per Society Rules.
b)	Undertakings and Declarations for “Holiday Listing”	To be submitted as per format attached
c)	Undertakings and Declarations on Acceptance of Tender Terms and Conditions	To be submitted as per format attached
d)	Undertaking related to insolvency & bankruptcy code-2016NCLAT	To be submitted as per format attached
e)	Undertaking on country of Origin	To be submitted as per format attached

All the above credentials shall be in the name of the bidder

b) Tender Evaluation criteria

- i. Upon receipt of the bids, the documents submitted by all the parties shall be scrutinized with respect to submission of Bid Security Declaration in lieu of EMD, and other necessary documents and acceptance to all terms & conditions as per the tender. The offers shall be scrutinized on the basis of the uploaded documents in e-tender portal
- ii. Notwithstanding any other condition/ provision in the tender documents, bidders are required to submit complete documents pertaining to PQC along with their offer. Failure to meet the PQC will render the bid to be summarily rejected. IOC reserves the right to

complete the evaluation based on the details furnished by the bidder, with or without seeking any additional supporting documents/ clarifications.

- iii. Price bids of only those parties who satisfy the above-mentioned requirements shall be considered for opening. Prior intimation will be uploaded on e-tender portal regarding due date and time of opening of Price Bid.
- iv. The selection of bidder will be based on lowest acceptable net delivered price for all items in the price schedule put together.
Net Delivered price = Delivered price minus Input tax credit as available to IOCL. (ITC is NIL for this tender)
- v. In case of tie between two or more bidders at L-1 position, all the L-1 bidders shall be asked to submit the discount bid in terms of percentage discount over previous quoted amount in a sealed envelope along with audited balance sheet and profit loss statement for the last 03 financial years closing on 31.03.2022 (activity outside the e-portal). In case there is a tie again, the bidder with highest turnover in any of the last 3 years as submitted shall be considered as L-1 bidder.
- vi. In the event of bidder submitting turnover documents for only one or two years, L-1 shall be submitted on the basis of turnovers submitted.
- vii. 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.
- viii. Negotiations shall not be conducted with the bidders as a matter of routine. However, Corporation reserves the right to conduct negotiations. Tenderers will have to attend the Office of INDIAN OIL CORPORATION LIMITED as informed by Tender Issuing Authority for negotiations/clarifications at their own cost as required in respect of their quotation without any commitment from INDIAN OIL CORPORATION LIMITED.
- ix. In case a bidder is put on holiday / Black listed after opening of price bid, then bid of such bidders will be ignored & will not be further evaluated. The bidder will not be considered for issue of order even if the party is the lowest (L1) and BG/EMD made by the party shall be returned. In such situation next lowest shall be considered as L1.
- x. IOCL shall not be bound to accept lowest or any tender and reserve the right to accept one or more tenders in part or full. The decision of IOCL in this regard shall be the final.
- xi. The subject works being a Work Contracts and critical in nature, no Purchase Preference shall be applicable for MSEs & Startups.
- xii. The Bidders are advised to submit their offers strictly as per the terms and conditions and specifications contained in the tender document and not to impose conditions/ counter

conditions. Conditional tenders received subsequent to the pre bid meeting shall be liable for rejection. The Corporation reserves the right to cancel the tender or accept any tender in whole or reject any or all tenders without assigning any reasons

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

- a) Non-withdrawal of conditions imposed in tender document & conditions imposed during negotiations.
- b) 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.
- c) Bidder submitting fabricated/false/ forged documents for the tender.
- d) Bidder put on holiday list during the pendency of this tender

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

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

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

- a) Non-withdrawal of conditions imposed in tender document & conditions imposed during negotiations.
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- c) Bidder submitting fabricated/false/ forged documents for the tender.
- d) Bidder put on holiday list during the pendency of this tender

20. Miscellaneous_:

20.1. Offer from following types of bidder will not be accepted

- a) Who are in the Holiday list of IOCL or its Administrative Ministry, MoPNG.
- b) Who are under liquidation, court receivership or similar proceedings.
- c) Who are undergoing insolvency resolution process or liquidation or bankruptcy proceeding under Insolvency and Bankruptcy Code, 2016.
- d) whose insolvency resolution process or liquidation or bankruptcy proceedings is initiated

under the code at any stage of evaluation of the bid.

- e) Consultants or their subsidiary company or companies under the management of Consultant, are not eligible to quote for the execution of the subject job for which they are working as consultant
- f) Bids from Foreign entities participating in Domestic /National tender.
- g) Bids from Consortium or MOU parties.

20.2. Additionally any bidder from a country which shares a land border with India will be eligible to bid in this tender (as per definition specific to this clause and attached as Annex X) only if the bidder is registered with the Competent Authority. Copy of the registration certificate is to be submitted along with the bid.

20.3. Affiliates of a firm are not permitted to make separate bids directly or indirectly. Two or more Parties who are affiliates of one another can decide which affiliate will make a bid. Only one affiliate may submit a bid. If two or more affiliates submit a bid, then all of them are liable for disqualification.

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

- a. A company shall for this purpose include any artificial person whether constituted under the laws of Indian or of any other country.
- b. A person shall be deemed to have bid in a partnership format or in association of persons format if he is a partner of the firm which has submitted the bid or is a member of any association of persons which has submitted a bid.
- c. A person shall be deemed to have bid in a Company format if, the person holds more than 10% (ten percent) of the voting share capital of the company which has submitted a bid, or is a Director of the Company which has submitted a bid, or holds more than 10% (ten percent) of voting share capital and/or is a Director of a holding Company which has submitted the bid.

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

20.5. The Bidders shall upload legible scanned copy of necessary documents in support of required qualification and experience along with their offer as per instruction given in the Special Instructions to Bidders.

20.6. Legal dispute, if any, arising during the evaluation of the tender or after placement of LOA shall be within the jurisdiction of local courts situated at Delhi.

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

- a. Special Instructions to bidders for participating in e-tendering.
- b. FAQ's –online EMD facility in IOCL e-tendering &

c. Format for Acceptance of Tender Terms and Conditions.

- 20.8. L1 Bidder will have to present original documents for verification to the tender inviting authority, within 7 days from date of intimation.
- 20.9. Physical/ Manual Bids shall not be accepted. Bids shall be accepted only through e-Tendering portal. No manual bid shall be permitted along with electronic bids. In case of receipt of manual bids apart from specifically requested offline documents in the tender, same shall be returned to the bidder. Additional documents received through email shall also be ignored for the purpose of evaluation, unless specifically advised by the Tender Issuing Authority. You may please note that since this is an e-Tender, tender documents can only be downloaded and bidding documents can only be submitted in the manner specified in 'Special Instructions to bidders for participating in e-tender' attached separately in this tender.
- 20.10. Tender Document can be downloaded from <https://iocletenders.nic.in> and on line bids are required to be submitted with Digital signatures on the system.
- 20.11. Bidders are advised to visit the E Tender portal regularly for updates. In case of any corrigendum or sale date extension, the same shall be issued in the E Tender portal only. No separate publication shall be done in newspapers/print media.
- 20.12. IOCL reserves the right of cancellation of the tender without assigning any reasons whatsoever. Indian Oil reserves the right to revise/extend any Date/time from schedule timelines of published tender
- 20.13. IOC shall not be bound to accept the lowest tender and reserves right to accept any tender. Decision of IOCL, in this connection shall be final.
- 20.14. Canvassing for information or submission of forged or false documents / information by any Bidder shall make the offer invalid. In addition, action shall also be taken by IOCL for forfeiture of EMD as well as putting the Bidder on Holiday list.
- 20.15. No suo – motto reduction in prices quoted by the bidder shall be permitted after opening of the bids. If any bidder unilaterally reduces the prices quoted by them after opening of bids, the bid of such bidder will be summarily rejected.
- 20.16. Bidders may note that negotiations will not be conducted with the bidders as a matter of routine. However, Corporation reserves the right to conduct such negotiations. Bidders will have to attend to the office of the Corporation for negotiations/ clarifications required in respect of their bids without any commitment on the part of the Corporation. In case of negotiation, the Bidder should send the confirmation of such negotiation so as to reach the office of the Corporation within 7 days from the date of negotiations failing which the Corporation reserves the right to ignore the bid.
- 20.17. JVs registered under the Indian Companies Act as on date of submission of bid are permitted. In such cases, all credentials to be submitted for qualification in the tender shall be in the name of JV.
- 20.18. The language of all the documents to be in the Tender shall be in English. For all documents in other than English, translated document through a Sworn/ Certified Translators shall be submitted as part of the bid documents at no extra cost to IOCL.
- 20.19. The tender being at National Level, bid from foreign entities shall not be accepted.
- 20.20. Undertaking related to Insolvency & Bankruptcy code 2016 is applicable for which all bidders to upload the Declaration as per Annexure attached.

Offers from the following type of bidders shall not be considered:

- a) 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),
- b) Insolvency resolution process or liquidation or bankruptcy proceeding is initiated under the code or any other applicable law (in case where code is not applicable)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 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 here in above, 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 the L-1 bidder is rejected on the aforesaid grounds during the period between price bid opening and award of contract, then the bid of the next higher eligible bidder will be considered for further processing.
 - 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 result in a contract, IOCL, without prejudice to 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 **(Annx-T)**

20.21. In case the BG opening bank is sending the BG thru SFMS Mode in addition to the physical BG, the same can be sent to HDFC Branch, Delhi (IFSC Code: HDFC0000003).

S.No	Particulars	
1.	Name, branch & address of payee bank	HDFC Bank Limited Surya Kiran Branch, New Delhi

2.	Beneficiary Name	IOCLDELHI/1100
3.	Title of the account	Indian Oil Corporation Limited
4.	IOCL Bank account number for RTGS	00030920001726
5.	Nature of Account	Collection A/C
6.	Branch MICR code number	110240001
7.	RTGS/ IFSC code	HDFC0000003
8.	Branch Telephone number	09310005842
9.	PAN No.	AAACI1681G
10.	TIN No.	683261127 (Haryana); 7400024987 (Delhi)

20.22. Business transaction status of Bidders.

- a) Tenders who have transferred their ownership rights either in whole or in part to another entity or under process of transfer shall intimate the same to IOCL in their letter head while submitting the bid. IOCL reserves its right to reject the tender of any entity, which has transferred its ownership rights in whole or in part or which is in process of transfer without assigning any reason for such rejection.
- b) 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.

For above , Bidder to give undertaking in his letter head whether he/she has transferred his/her ownership rights either in whole or in part to another entity or under process of transfer .

20.23. All Bidders must have Type II or above Digital Signature Certificate and have to register themselves in the above website in order download the tender and Bid for the same.

20.24. All parties are requested to start the submission process at least 4 hours prior to the submission end date to avoid problem in submitting documents due to last minute rush.

Any query with regard to non-issuance of the tender documents or rejection of the tender may be forwarded to Sri Angom Rajen Singh, DGM (Engineering), Delhi & Haryana State Office, Indian Oil Corporation Ltd, Marketing Division, New Delhi, e-mail: angomrajen@indianoil.in; rainat@indianoil.in.

DGM (Engineering)
DSO