

Hindustan Petroleum Corporation Limited
(Materials Department – Mumbai Refinery)

B D Patil Marg, Mahul, Mumbai-400 074

Phone : +91-22-2507 6807/25076828/25077007 Fax : +91-22-25541054



Mumbai Refinery

Notice Inviting Tender

Title: Standing order for Supply of FORGED VALVES AT HPCL, MUMBAI REFINERY.

1.0 INTRODUCTION:

Hindustan Petroleum Corporation Ltd. also known as H.P.C.L. (herein referred to as Purchaser) wishes to receive e-procurement bids against the subject tender document for the jobs to be carried out at HPCL - Mumbai Refinery.

2.0 HPCL invites online bids at HPCL Mumbai Refinery, Mumbai 400074 in e-Tender system at <https://etender.hpcl.co.in> under two bid envelope system (Part-I: EMD+ Integrity Pact + Techno- commercial bid and Part-II: Price bid) from competent bidders with sound technical and financial capabilities fulfilling the Qualification Criteria stated under Sr. No. 4.0 and its sub clauses below.

This is a Standing order for Supply of FORGED VALVES at HPCL, Mumbai Refinery.

3.0 SALIENT FEATURES OF THE BIDDING DOCUMENT:

Description	: ANNUAL RATE CONTRACT/STANDING ORDER FOR 2 YEARS - FORGED VALVES
Tender No	: 2400011898-HD-06000
Pre- bid Meeting	: May 02, 2024 at 10:00 HRS IST. Zoom Meeting Link: https://hpcl-in.zoom.us/j/91877384660?pwd=TFdLVkZxU1pST1RHaIV4NHNVSVZaZz09
Due date	: May 16, 2024 at 14:00 HRS IST.
Last date & time for receipt of Bids	: May 16, 2024 at 14:00 HRS IST. (On e-tender portal https://etender.hpcl.co.in Only).
Offer Validity	: 120 days from Due date/Extended due date
Earnest Money Deposit (EMD)	: Rs. 8,00,000/-
Tender Type	: Public
Tender Document Charges	: Nil
HPCL eProc Helpdesk phone no.	: 022-41146666
Reverse Auction	: Applicable
Evaluation criteria	: Overall Lowest
Price reduction clause	: In case of delayed delivery, prices will be reduced @1/2% of the total basic order value for every week of delay or part thereof subject to a maximum of @5% of the total basic order value. NOTE: a. Price Reduction shall be applicable only on the basic cost and on Full complete week (s) and for fractional days Price reduction shall be applicable on pro-rata, if any.

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Notice Inviting Tender

		b. Initially Price Reduction shall be applicable for total basic order value and final Price Reduction settlement to be on undelivered portion in the contractual delivery period.
Payment terms		The following payment terms shall be applicable: i. 75% of the bill amount duly recommended by user on receipt of materials / docs. at HPCL shall be paid within 7 days of receipt of bill. ii. Balance 25% to be paid after verification/ certification within 15 days of receipt of bill. However, the final bill payment will not exceed 30 days.
Delivery Period		Delivery period is the essence of our tender. Material to be delivered at Mumbai Refinery Warehouse as per the trailing schedule: Within 10 weeks from the date of RPO. Offers received with higher than tender delivery period will be summarily rejected. Partial delivery shall be allowed.
Basic Financial Limit	:	Rs 4 Crores (excluding Taxes & Extras)
No. of Vendors required	:	2 (Basic Financial Limit will be divided in the ratio of 70:30 subject to L2 bidder accepting L1 bidder rates. However, if L2 bidder declines to accept L1 bidder rates, whole Basic Financial Limit will be awarded to L1 Bidder, wherein, L1= Lowest Price bidder; L2= Next Lowest to Lowest Price bidder).
Integrity Pact	:	Mandatory
RM/ PBG	:	Not Applicable
Security Deposit	:	Not Applicable
Validity of Contract	:	24 Months from PO date

Vendor to quote a single consolidated rate in terms of % (+ or -) over HPCL's SOR which shall be uniformly applicable to all the tender line items. The Basic Financial Limit indicated is indicative only and may or may not get fully consumed based on the requirement in the Refinery.

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Mumbai Refinery

Notice Inviting Tender

Address for communication with : HPCL	For Technical queries for Mumbai Refinery: A. Mr. S. Sathyanarayanan, DGM - Warehouse, Ph: 022-25076833, Email: sathyas@hpcl.in B. Mr. Anil Kumar, Senior Manager- Warehouse , Ph: 022-25076821, Email: anil_kumar@hpcl.in
	For Commercial queries and Pre-bid meeting: C. Mrs. Manjusri Maddala, DGM-Purchase, Ph: 022-25076825, Email: gmanjusri@hpcl.in D. Mr. Vinit Sharma, Sr. Manager-Purchase, Ph: 022-25076807; Email: vinitksharma@hpcl.in

4.0 BIDDER QUALIFICATION CRITERIA:

The bidders, intending to participate shall fulfil the following qualification criteria (technical & financial):

TERMS & CONDITIONS			
A. Vendor should supply Forged Valves to Mumbai Refinery			
B. PRE-QUALIFICATION CONDITION - TECHNICAL			
1. The bidder should have regularly, for at least the last three years, ending 31/03/2024, supplied Cast or Forged Valves, with the same or higher specifications.			
2. The bidder shall have supplied Cast or Forged Valves under one-time PO or ARC PO to a Petroleum Refinery/Petrochemicals or any Hydrocarbon industry during the last 7 years ending 31/3/2024, which experience should be any one of the following:			
Sr. No.	Criteria	Non MSE Bidder (INR)	MSE Bidder (INR)
A	Three similar completed works, each costing not less than	160 Lakh	136 Lakh
B	Two similar completed works, each costing not less than	200 Lakh	170 Lakh
C	One similar completed work costing not less than	320 Lakh	272 Lakh
*Since the valves are for critical Hydrocarbon services, there is no relaxation for start-ups.			
Similar work: “Experience of having successfully supplied Cast or Forged Valves under one-time PO or ARC PO in a Petroleum Refinery/Petrochemicals or any Hydrocarbon industry”			
Vendor to produce documentary evidences.			
The above criteria to be met for qualification of bidders. Bidders shall submit Purchase Order copies and job completion report as the proof for completed works.			
C. PRE-QUALIFICATION- FINANCIAL Average Annual Financial Turnover during the last 3 years, ending 31st March 2024 should be at least Rs 1 Crore and 20 Lakhs. The performance certificate/contract copy substantiating the above should be submitted along with the bid.			



Notice Inviting Tender

TERMS & CONDITIONS

Note: Bids of vendors not meeting prequalification criteria will not be considered for evaluation and are liable to be rejected.

4.1.2 Financial Prequalification:

Average Annual financial turnover of the bidder during the last three years ending 31.03.2022 shall be a minimum of Rs. 150 Lakhs as certified by audited balance sheet.

	for non-MSEs	for MSEs
Average Annual financial turnover during the last 3 years	Rs. 1,20,00,000/-	Rs. 1,02,00,000/-

In case, the last 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.

- 4.1.3 Complete documentary evidence by way of notarized copies of Purchase orders in English, completion certificates, performance certificates, balance sheets (last 3 years), etc. shall be provided along with Bid in support of their fulfilling the Qualification Criteria as given in 4.1.1 & 4.1.2 above.

Bidder should provide contact number, email ids of the PO/Job completion certificate issuing authorities.

- 4.1.4 Complete Documentary evidence in support of their fulfilling the Qualification Criteria, as given in 4.1.1 to 4.1.2, to be provided along with the Technical Bid for the following requirements, duly attested by Notary:

- A) Copy of Purchase Order(s), clearly indicating details of work.
- B) Copy of Work Completion Certificate/s issued by the Customer (End User) directly in the Name of the Bidder, against each Purchase Order, towards successful completion of jobs as per the Terms & Conditions of each PO, indicating Basic Value of the Work completed for the said Order/s. Contact details of the End User in terms of Telephone no., Email ID of the concerned Official/s issuing the Work Completion Certificate, etc. are to be provided in the Bid for HPCL to cross-verify the same.
- C) The above Purchase Order(s) and Work Completion Certificate(s) must have been issued by the Client/ END USER [in whose Installation/Premises the said Works have been executed], and directly issued in the Name of the Bidder only.
- D) Balance sheet or Audited Financial Statements including Profit and Loss Accounts, duly audited and certified by way of signing and stamping the documents by the registered auditor.

- E) A copy of each of the above documents shall be furnished and original shall be furnished for www.hindustanpetroleum.com (Page 10 of 10)

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Mumbai Refinery

Notice Inviting Tender

verification if required, which shall be returned after verification.

List of other Documents to be submitted, along with the Technical Bid:

- a. Detailed Concurrent Commitments and Completion Dates

HPCL reserve the right to assess the capability and capacity of the bidder for execution of the project by taking into account various aspects such as concurrent commitments and performance, etc. of the Bidder, should the circumstances so warrant such assessment in the overall interest of the project.

HPCL also reserve their rights to reject any bid received at its discretion without assigning any reason whatsoever. HPCL reserves the right to use in-house information for assessment of Bidder's capabilities.

The bidder shall in his own interest furnish complete documentary evidence (i.e. in the Pre-Qualification/Technical Bid) in the first instance itself, in support of their fulfilling the Qualification Criteria as given above. HPCL reserve right to complete the evaluation based on the details furnished without seeking additional information from the vendor.

Bidder shall submit the supporting documents as proof of meeting Experience, technical & financial criteria of the tender. Bids submitted without notarization may be rejected without any notice.

Bidder should not be under liquidation, court receivership or similar proceedings.

If vendor wants to send specific technical confidential documents then he can send only confidential documents to vinitksharma@hpcl.in; pankajg@hpcl.in & sankarrao@hpcl.in. HPCL's decision is final with regard to acceptance or rejection of the bid, if the feedback received from customer of bidder is not satisfactory.

Bidder shall meet all the above conditions to qualify their bid. In the event of bidder not meeting any of PQC conditions, the bid submitted shall be summarily rejected.

Vendors who are qualifying PQC criteria are advised to make site visit prior to Pre-bid meeting or during Pre-bid meeting for understanding the site conditions and have an idea of Equipment & working area availability.

HPCL shall not be held responsible for any Expenses incurred by the Tenderers in connection with preparation & acceptance of the Bids, Site Visit, if any and other such Incidental Expenses incurred.

Vendors shall study and understand the Scope of Work and obtain clarifications, if any, on the Scope in its entirety before submission of their offer.

8.0 Clarification, if any, can be obtained from

Mr. S. Sathyanarayanan, DGM - Warehouse, Ph: 022-25076833, Email: sathyas@hpcl.in

Mr. Anil Kumar, Senior Manager- Warehouse, Ph: 022-25076821, Email: anil_kumar@hpcl.in

Pre bid meeting of subject tender shall be held on 02nd May, 2024 via following Zoom Meeting Link:

<https://hpcl-in.zoom.us/j/97657870707?pwd=eHh2ejE1a2tCUy81bDIYRUNTNVEyQT09>

Bidders shall be required to arrange all resources, including Digital IDs and Internet Connections at their



Notice Inviting Tender

own cost, for participating in online tenders at HPCL e-Procurement site <https://etender.hpcl.co.in>.

HPCL shall not be responsible for any delays reasons whatsoever in receiving as well as submitting offers, including connectivity issues. HPCL shall not be responsible for any postal or other delays in submitting EMD / Tender cost wherever applicable.

Extension of Due Date: HPCL may at its discretion extend the due date of the Tender if needed. Request for extension of Tender submission due date, shall be made 48.00 Hours prior to expiry of due date. Requests, if any received from bidders within 48 hours of Tender submission due date/time may not be considered.

5.0 Parties who are affiliates of one another can decide which affiliate will make a bid. Only one affiliate may submit a bid. Two or more affiliates are not permitted to make separate bids directly or indirectly. If 2 or more affiliates submit a bid, then any one or all of them are liable for disqualification.

5.1

“Affiliate” of a Party shall mean any company or legal entity which:

- a) controls either directly or indirectly a Party, or
- b) which is controlled directly or indirectly by a Party; or
- c) is directly or indirectly controlled by a company, legal entity or partnership which directly or indirectly controls a Party. “Control” means actual control or ownership of at least a 50% voting or other controlling interest that gives the power to direct, or cause the direction of, the management and material business decisions of the controlled entity.

6.0 Bids may be submitted by:

- a) Sole bidder: a single person (Sole Proprietorship) or entity;
- b) A newly formed incorporated joint venture (JV) which has not completed 3 financial years from the date of commencement of business;
- c) Subsidiaries / Affiliates of Indian or foreign companies

Fulfilment of Eligibility criteria and certain additional conditions in respect of each of the above types of bidders are stated below:

a) The bidder (including an incorporated JV which has completed 3 financial years after date of commencement of business) shall fulfil each qualification criteria (PQC).

b) In case the bidder is a newly formed and incorporated joint venture and which has not completed three financial years from the date of commencement of business, then either the said JV shall fulfil each qualification criteria (PQC) or any one constituent member/ promoter of such a JV shall fulfil each qualification criteria (PQC). If the bid is received with the proposal that one constituent member/ promoter fulfils each qualification criteria

(PQC), then this member/promoter shall be clearly identified and he/it shall assume all obligations under the contract and provide such comfort letter/guarantees as may be required by the Corporation. The guarantees shall cover inter alia the commitment of the member/ promoter to complete the entire work in all respects and in a timely fashion, being bound by all the obligations under the contract, an undertaking to provide all necessary technical and financial support to the JV to ensure completion of the contract when awarded, an undertaking not to withdraw from the JV till completion of the work, etc.

c) Subsidiaries / Affiliates of Indian or foreign companies which are registered in India and having manufacturing facilities or establishment towards providing services in India are allowed to participate in this

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Notice Inviting Tender

tender, subject to meeting the local content provisions as per the MII clause enclosed with the tender. Such entities can participate either on the basis of their credentials (Technical or Financial) or on the basis of the credentials (Technical or Financial) of their parent/ affiliate company, as per the PQC requirements applicable for this tender. If credentials of parent/ affiliate are sought to be relied upon, then the Indian subsidiary must meet the other PQC, either Technical or Financial. Moreover, the parent/affiliate will also provide suitable Guarantees to ensure completion of the work in all respects.

In case the parent / affiliate company is from a country which shares a land border with India, then the subsidiary / affiliate company will be eligible to bid in this tender only if the parent / affiliate company is registered with the Competent Authority constituted by the Department for Promotion of Industry and Internal Trade (DPIIT).

Any deviation to above qualification criteria (PQC) needs to be duly approved by Contracts Committee / Executive Committee.

General Eligibility and Qualification conditions

- i) All eligible bidders meeting the eligibility criteria as defined in Instruction to Bidders (ITB) can participate in the tender.
- ii) A firm determined non-performing by the Corporation shall not be eligible to bid during the period so determined.
- iii) Even if a bidder meets the eligibility criteria and PQC, he shall be subject to disqualification if he or any of the constituent partners is found to have:
 - a. made misleading or false representations in the forms, statements, affidavits and attachments submitted in proof of the qualification requirements; and/ or;
 - b. records of poor performance during the last five years, as on the date of application, such as abandoning the work, rescission of the contract for reasons which are attributable to non-performance of the contractor, inordinate delays in completion, consistent history of litigation resulting in awards against the contractor or any of the constituents, or financial failure due to bankruptcy, (The rescission of a contract of venture JV on account of reasons other than non- performance, such as the most experienced partner (major partner) of JV pulling out) and so on.

7.0 EMD

Tenders received without Earnest Money Deposit will be rejected.

- a. Public Sector Enterprises
- b. Vendors registered as Micro / Small Enterprises (MSEs)
- c. Start-ups as recognized by Department for Promotion of Industry and Internal Trade (DPIIT)
- d. Categories as per GeM GTC

For this purpose, in the event of the tendering company being a Public Sector Enterprise, a declaration to that effect and in the case of Vendors registered as MSEs, a copy of the relevant registration certificate or other such document specified by Government of India (currently Udyam Registration Certificate) to be submitted.

In cases of EMD exemption, Bidders shall sign a Bid securing declaration accepting that if they withdraw or modify their Bids during the period of validity, or if they are awarded the contract and they fail to sign the contract, or to submit a performance security before the deadline defined in the request for bids/ request for proposals document, they will be suspended for a period of one year from being eligible to submit Bids/

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Mumbai Refinery

Notice Inviting Tender

Proposals for contracts with the Procurement Authority. If Bid declaration is not given, such bids shall be rejected.

EMD can be accepted either in the form of a Bank Guarantee or through e-payment.

If the EMD in physical form (not applicable for e-payment) does not reach before due date and time, such bids will not be considered at all.

Vendor to ensure that issuance of Bank Guarantee shall be confirmed by the issuing Bank directly to the Owner preferably through Structured Financial Messaging System (SFMS), as it provides an RBI supported Integrated Platform for Bank Guarantee Verification. For more details, pls refer attached document “**Bank guarantee certification document**”.

Scanned copies of EMD should be uploaded along with bidding document on <http://etender.hpcl.co.in>.

EMD in physical form shall be submitted to the following office on or before due date and time/extended due date and time as the case may be. The Envelope should indicate as “**Tender No. 2400011898-HD-06000 Standing order for Supply of FORGED VALVES AT HPCL, MUMBAI REFINERY, Tender Due date: May 16, 2024 at 14:00 HRS IST.**”

If applicable, valid EMD amount received by HPCL either thru electronic receipts or other acceptable means, on or before the due date/ time will be considered as if the same is received with the Bid. Refund of EMD may be through e payment or cheque.

If the EMD is not in line with the amount called for, the EMD will be returned to the tenderer and online bid would be rejected. Vendor to contact undersigned for submitting EMD if needed.

Vinit Sharma, Manager Materials
New Admin Building (Room No. 250)
Materials Department, Hindustan Petroleum Corporation Ltd,
Mumbai Refinery, B D Patil Marg, Mahul, Mumbai-400 074,
India Email: vinitksharma@hpcl.in
Phone: +91 22 25076807/6828/7007

EMD will be forfeited if

1. Bidder withdraws their offer during the period of validity.
2. In case of the successful bidder if he fails to furnish the CPBG.
3. Any other reason warranting the forfeiture of EMD at the sole discretion of HPCL.

8.0 INTEGRITY PACT (IP):

The Integrity Pact duly signed by the authorized official of HPCL and the Contractor, will form part of this contract / supply order/ sale order as applicable.

The bidder shall comply with the requirements of the Integrity Pact enclosed with the tender.

The details of Independent External Monitors (IEMs) appointed by HPCL are as given below:

1. Shri Ashwani Kumar
2. Shri Rajesh Ranjan

The task of the IEMs is to review independently and objectively, whether and to what extent the parties comply with the obligations under the Integrity Pact.

Proforma of Integrity Pact, which is issued along with the bidding document shall be submitted by the



Notice Inviting Tender

bidder on or before due date to HPCL, duly signed by the same signatory who signs the bid i.e. who is duly authorized to sign the bid. All the pages of the Integrity Pact shall be duly signed by the same signatory. Bidder's failure to return the Integrity Pact along with the bid, duly signed, shall lead to outright rejection of such bid. If the Bidder has been disqualified from the tender process prior to the award of contract according to the provisions under Integrity Pact, HPCL shall be entitled to demand and recover from bidder liquidated damages amount by forfeiting the EMD/Bid security

(Bid Bond) as per provisions of Integrity Pact. **Bidder shall upload the scanned copy of the Integrity pact in the e-Tender portal.**

If the contract has been terminated according to provisions of the Integrity Pact, or if HPCL is entitled to terminate the contract according to provisions of integrity Pact, HPCL shall be entitled to demand and recover from the Contractor liquidated damages amount by forfeiting the Performance Bank Guarantee.

9.0 Bids shall be submitted in <https://etender.hpcl.co.in> only. For any website related technical issues, HPCL Help Desk No. is **022-41146666**

- (a) Unpriced part of the Bids shall be opened at 14:00 Hrs. IST, on the last date for submission of bids, bidders can witness the same in the portal. Time and date of opening of Price Bids shall be notified to the qualified and acceptable bidders at a later date.
- (b) Fax / E-mail bids shall not be accepted.

If a contractor submits his bid, qualifies and does not get the contract because of his being not the lowest, he will be prohibited from working as a subcontractor for the contractor who is executing the contract.

By submitting the bids, the Bidder gives a declaration that they have not been banned or delisted by any government or quasi government or PSUs. If a bidder has been banned by any government or quasi government or PSUs, please note that it may not necessarily be a cause for disqualifying bidder. However, **if this declaration is not given, the bid will be liable to be rejected as non-responsive.**

10.0 RIGHT TO ACCEPT / REJECT THE TENDER

HPCL reserves the right to accept / reject any or all the bids including the lowest bid without assigning any reason whatsoever. The decision of HPCL shall be final and no correspondence will be entertained in this regard. Communication would be sent to all vendors conveying reasons for cancellation of tender.

In the case of public tenders, the Bid Evaluation Report shall be available, to all qualified bidders on demand at a price to be fixed by the HPCL, provided the bidders themselves have no objection to the details of their financial status being revealed. In any case, the technical evaluation part of the report can be made available to the qualified bidders on demand at a price to be fixed by HPCL. The disqualified bidder in the case of public tenders may demand and be given at a price to be fixed by HPCL, the reasons for disqualifying them.

The contents of this NIT shall prevail, in case of any contradiction with the clauses mentioned elsewhere. List of Stipulations/Deviations if any to the tender, referring the relevant clause numbers should be uploaded as a separate attachment or mentioned online in the tender.

Vendors not meeting our delivery period or our technical specifications or not in right format of quoting may lead to rejection. All tender terms and conditions including scope of job, other attachments wherever applicable will remain valid in purchase order also.

REJECTION CRITERIA

The mandatory conditions, for deviations to any of which the offer may stand rejected are:

- Non-submission of offer made in 2 (two) parts as specified in the tender

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Mumbai Refinery

Notice Inviting Tender

- Non-submission of EMD and EMD value as specified in the tender before due date and time.
- Fax / E-mail bids shall be rejected
- Revealing prices directly or indirectly in the un-priced bid
- The price bid should not contain any conditions. Any pre-conditions in the priced bid will make the bid liable for rejection
- Non-submission of Integrity Pact on or before tender due date and time.
- Non-submission of bidder declaration.
- Not meeting the technical specifications.
- Non-submission of complete documentation towards Prequalification Criteria.
- Not meeting the Prequalification Criteria based on documentation submitted with the bid. HPCL decision in this matter is final.

Stages of Tender Opening:

(i) Stage-I – Pre-qualification / Technical Bid Opening:

Unpriced bids of the parties qualified in EMD shall be opened.

Prequalification documents will be checked by HPCL officials during technical evaluation. HPCL's decision on compliance of pre-qualification criteria shall be final. Deviations if any, shall be indicated separately online. Such deviations may lead to loading of prices **or** rejection of offer, at the sole discretion of HPCL without any reference to the bidder.

(ii) Stage -II – Reverse Auction / Priced Bid Opening:

HPCL may or may not open the Priced Bid of qualified bidders received in online Form. HPCL reserves right to adopt 'reverse auction' process for selection of lowest bid. In case HPCL decides to open priced bid received in online Form, the date and time of opening of the **Priced Bid** will be intimated to the qualified bidders only through e-mail.