

NOTICE INVITING TENDER

FOR

**REPLACEMENT OF AUTOMATIC CATALYST ADDITION SYSTEM IN FCCU-1
(INDIAN COMPETITIVE BIDDING)**



**HINDUSTAN PETROLEUM CORPORATION LTD.
VISAKH REFINERY**

Tender No.: 22000406-HD-46009

IMPORTANT: Please note that this is an e-Public Tender. Please log in at site (<https://etender.hpcl.co.in>) and respond to the tender. Please note that this is an online tender and on line response submitted at site (<https://etender.hpcl.co.in>) shall only be accepted. No other mode of submission (hard copies in the form of fax, submission by hand etc. or email submission etc.) shall be accepted. The Server Date & Time as appearing on the HPCL website (<https://etender.hpcl.co.in>) shall only be considered for the cut-off date and time for receipt of tenders. For submitting on line response Digital Certificate / Signatures (Class II/ Class III) shall be mandatory. For already existing vendors, in case you are logging in for the first time please ensure to upload your Digital certificate. The process for same is listed in the Help link after logging in. PLEASE LOGIN WITH YOUR EIGHT DIGIT JDE VENDOR CODE AND CORRESPONDING BILL TRACKING SYSTEM (BTS) PASSWORD TO BID FOR THE TENDER. New bidders will have to temporarily register to be able to quote for this tender in eProc system. In case of any difficulty in logging or in case you do not have the BTS password, please contact Eproc helpdesk at: 022- 41146666 on any day between 10.00 AM to 6.00PM except on Sundays/Public holidays. Please refer to help link after logging in, in case you are new to e-Tender.



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NOTICE INVITING TENDER (NIT) FOR REPLACEMENT OF AUTOMATIC CATALYST ADDITION SYSTEM IN FCCU-1

HINDUSTAN PETROLEUM CORPORATION LIMITED IN THE STATE OF ANDHRA PRADESH (INDIA)

1.0 **INTRODUCTION:**

This e-Tender is floated for placing an order for "REPLACEMENT OF AUTOMATIC CATALYST ADDITION SYSTEM IN FCCU-1" at HPCL-Visakh Refinery.

2.0 **BRIEF SCOPE OF WORK:**

Scope includes design, engineering, supply, installation and commissioning of Fresh Catalyst addition system, of 50 ft³ +/- 10% capacity.

Detailed Scope is as per Tender Document.


3.0 **TIME SCHEDULE:**

Material to be supplied to HPCL-Visakh Refinery Warehouse within 6 months from the date of Letter of Acceptance (LOA) / Purchase Order, whichever is earlier released by HPCL.

Please refer tender document.

4.0 **SALIENT FEATURES OF BIDDING DOCUMENT:**

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| a) | Tender Document No. | : | 22000406-HD-46009 |
| b) | Bidding Document on Website | : | 20-Jan-2023 |
| c) | Earnest Money Deposit/ Bid Security | : | INR 6,00,000/- |
| d) | Pre-Bid Meeting & Site Visit | : | 01-Feb-2023 @ 11:00 Hrs (IST) |
| e) | Due date of Receipt of Bidder's Queries for Pre-bid Meeting | : | 27-Jan-2023 |
| f) | Last Date and time of Online submission of Bids (Bid Due Date) | : | 09-Feb-2023 @ 15:00 Hrs (IST) |

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| g) | Opening of EMD in physical form | : | 09-Feb-2023 @ 15:00 Hrs (IST) |
| h) | Opening of Pre-qualification Bids (Part-I) in eProc site | : | 09-Feb-2023 @ 15:00 Hrs (IST) |
| i) | Opening of Techno commercial (Un-priced) Bids (Part-II) | : | Shall be opened online in e-Proc site after review of Pre-qualification Bids (Part-I) |
| j) | Opening of Priced Bids (Part-III) | : | Shall be opened online in e-Proc site after review of Techno-Commercial Bids (Part-II) |

4.1 **JOB ACQUAINTANCE, SITE VISIT & PRE-BID MEETING:**

All clarifications regarding job scope and conditions of contract shall be obtained before submitting the quotation.

Pre-bid meeting will be conducted Online on the date mentioned in the above table.

Bidders or their authorized representatives (with proper authority letter) are requested to attend the Pre-Bid Meeting so that their queries, if any, related to the Bidding document and Scope of Job can be addressed during the meeting. The bidders are requested to send queries/clarifications, if any, by e-mail to HPCL at least four days before the pre-bid meeting. The clarifications shall be provided during / post pre-bid meeting.

Bidder shall consider in their priced bid, all the pre-bid discussions and subsequent corrigenda's issued if any, submitted on or before the bid due date, which shall be firm and final. No revisions to the quoted price and no further queries will be allowed thereafter.

Vendors who are qualifying PQC criteria are advised to make Site visit for understanding and familiarization of the Site conditions and have an idea of Equipment.


Any claims due to lack of understanding in scope, specifications, time schedule, etc., subsequent to submission of tender shall not be entertained.

Contact persons for the pre-bid meeting and technical queries:

Mr. Madaka Babuji
Senior Manager – Maintenance
Tel: 0-891 / 289 4274
E-Mail: babujimadaka@hpcl.in

For any commercial related queries, please directly contact the following persons:

Mr. M. Sudhakar;
DGM - Project Materials
Tel: 0 – 891 / 289 4302
E-mail: Msudhakar@hpcl.in
Mr. Praneeth Maxim Noronha
Manager - Project Materials
Tel: 0 – 891 / 289 4325

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E-mail: PraneethMaxim.Noronha@hpcl.in

5.0 PRE- QUALIFICATION CRITERIA (PQC):

The bidder shall meet the following prequalification criteria and submit supporting documents along with the offer.

5.1 FINANCIAL CRITERIA:

5.1.1 Average Annual Financial Turnover during the last 3 years, ending 31st March 2022, (i.e. FY 2019-20, 2020-21, and 2021-22), should be at least Rs. 60.00 Lakhs.

5.2 TECHNICAL CRITERIA:

5.2.1 Bidders shall have experience of having successfully carried out and completed similar nature of work during the last 7 years ending last day of the month previous to the one in which applications are invited, which experience should be any one of the following:

(a) One similar nature of completed work of value not less than Rs. 160.00 Lakhs

OR

(b) Two similar nature of completed works each of value not less than Rs. 100.00 Lakhs

OR

(c) Three similar nature of completed works each of value not less than Rs. 80.00 Lakhs.

5.2.2 "Similar nature of work" shall mean having successfully supplied & commissioned similar catalyst/additive loading system to Indian or worldwide refineries for FCC application/Units.

Note: The above indicated amounts in PQC are exclusive of Taxes. Bidder needs to submit Documents accordingly.

Relaxation for MSEs:


1. Criteria for prior experience and prior turnover (PQC) is relaxed by 15% for Micro and Small Enterprises subject to meeting the prescribed quality and technical specification of the tendered items/services.

DOCUMENTS REQUIRED FOR FULFILLING QUALIFICATION CRITERIA:

Bidder shall furnish documentary evidence to substantiate their claims on the above requirements.

The bidder shall upload the scanned copies of the following documentary evidence in support of the above Financial and Technical Criteria for Pre-Qualification, duly attested as mentioned below:

a) Documents for financial criteria: Balance sheet or Audited Financial Statements including Profit and Loss Account, necessary undertaking etc. along with bid to establish his experience and track record meeting qualification criteria.

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b) Copy of Purchase Order(s), clearly indicating the similar work defined above.

c) Copy of Completion Certificate/s issued by the “End User”, directly in the Name of the Bidder and against each Purchase Order, towards successful completion of the Purchase Order jobs, indicating Basic Value of work completed for the subject Order(s). Contact details of such End Users, in terms of Telephone no., Email ID of the concerned Officials issuing the Completion Certificate(s), are to be provided in the Bid for HPCL to evaluate and cross-verify the same.

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

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) where audited accounts are not mandatory as per law.

Or

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

Bidder shall submit 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. This option shall not be applicable to Proprietorship / Partnership firms.

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


The failure to meet any of the above Pre-Qualification Criteria will render the Bid to be rejected.

Therefore, the bidder shall in his own interest furnish complete documentary evidence by way of copies of work orders, completion certificates from owner, Self-certification for liquidation/court receiving or similar proceedings and balance sheet including Profit and Loss Accounts, Solvency certificates etc. along with the PQC bid, in support of their fulfilling the Pre-Qualification Criteria as given above.

The Bidders should submit all the Documents in the first instance itself (i.e. in the Technical/ Pre-Qualification Bid), in support of fulfilling their Pre-Qualification Criteria. HPCL reserves right to complete the evaluation based on the details furnished along with the Bid, without seeking any additional information. HPCL also reserves right to use their in-house information for assessment of Bidder’s capabilities. Basis such evaluations & findings, HPCL reserves right to reject a Bidder’s offer without assigning any further reason whatsoever.

5.3 ELIGIBILITY OF BIDDERS:

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. However, upto 3 affiliates may make a joint bid as a consortium, and in which case the conditions applicable to a consortium shall apply to them. “Affiliate” of a Party shall mean any company or legal entity which:

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- (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.

Bids may be submitted by:

- a) A single person/ entity (called sole bidder);
- b) A newly formed incorporated joint venture (JV) which has not completed 3 financial years from the date of commencement of business;
- c) A consortium (including an unincorporated JV) having a maximum of 3 (Three) members;
- d) An Indian arm of a foreign company.

Fulfilment of eligibility criteria and certain additional conditions in respect of each of the above 4 types of bidders is stated below, respectively:


- a) The sole bidder (including an incorporated JV which has completed 3 financial years after date of commencement of business) shall fulfil each eligibility criteria.
- 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 eligibility criteria or any one constituent member / promoter of such a JV shall fulfil each eligibility criteria. If the bid is received with the proposal that one constituent member / promoter fulfils each eligibility criteria, 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 Owner. 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) In case of bidder(s) is / are a consortium (including an unincorporated JV), then the following conditions, as applicable, shall apply:
 - 1) Each member in a consortium may only be a legal entity and not an individual person;
 - 2) The bidder shall specifically identify and describe each member of the consortium;
 - 3) The consortium member descriptions shall indicate what type of legal entity the member is and its jurisdiction of incorporation (or of establishment as a legal entity other than as a corporation) and provide evidence by a copy of the articles of incorporation (or equivalent documents);
 - 4) One participant member of the consortium shall be identified as the "Prime member" and contracting entity for the consortium;
 - 5) This prime member shall be solely responsible for all aspects of the Bid/Proposal including the execution of all tasks and performance of all consortium obligations;
 - 6) The prime member shall fulfil each eligibility criteria;

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- 7) A declaration shall be given from each of the consortium member in the form of a letter signed by a duly authorized officer clearly identifying the role of the member in the Bid and the member's commitment to perform all relevant tasks and obligations in support of the prime / lead member of the consortium and a commitment not to withdraw from the consortium;
 - 8) No change shall be permitted in the number, nature or share holding pattern of the Consortium members after pre-qualifications, without the prior written permission of the owner.
 - 9) No change in project plans, time tables or pricing will be permitted as a consequence of any withdrawal of failure to perform by a consortium member;
 - 10) No consortium member shall hold less than 25% stake in a consortium;
 - 11) Entities are affiliates of one another are allowed to bid either as a sole bidder or as a consortium only;
 - 12) Any person or entity can bid either singly or as a member of only one consortium.
- d) In case the bidder is an Indian arm (Subsidiary, authorized agent, branch office or affiliate) of a foreign bidder, then the foreign bidder shall have to fulfil each eligibility criteria. If such foreign company desires that the contract be entered in to with the Indian arm, then proper back to continuing (parent company) guarantee shall be provided by the foreign company clearly stating that in case of any failure of any supply or performance of the equipment, machinery, material or plant or completion of work in all respects and as per the warranties/ guarantees that may have been given, then the foreign company shall assume all obligations under the contract. Towards this purpose, it shall provide such comfort letter/ guarantees as may be required by Owner. The guarantees shall cover inter alia the commitment of the foreign company to complete the entire work in all respects and in a timely fashion, being bound by all the obligations under the contract, an under taking to provide all necessary technical and financial support to the contract when awarded, an undertaking not to withdraw from the contract till completion of the work, etc.

6.0 SUBMISSION OF BIDS & VALIDITY:

- 6.1 Bids are required to be submitted only through HPCL e-procurement site (<https://etender.hpcl.co.in>) using valid digital signature Certificates.
- 6.2 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.
- 6.3 Bidders are requested to get acquainted with the E-Tendering System in advance and obtain/seek clarifications, if any from E-proc helpdesk at: 022- 41146666 on any day between 10.00 AM to 6.00PM except on Sundays/Public holidays.
- 6.4 Validity of bid shall be **4 (four)** months from the final bid due date.


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7.0 BID SECURITY /EARNEST MONEY DEPOSIT (EMD):

- 7.1. Amount shall be as per clause no. 4.0 as above.
- 7.2 EMD shall in the form of Demand Draft issued by an Indian Scheduled Bank or from any Indian branch of an international bank (other than Co-operative Banks) in favour of Hindustan Petroleum Corporation Limited, payable at Visakhapatnam **(OR)** in the form of irrevocable Bank Guarantee in favour of HPCL as per format enclosed with Bidding Document **(OR) Thru e-payment/wire transfer; thru HPCL's e-procurement portal.** HPCL shall not be liable to pay any bank charges, commission or interest on the amount of bid security
- 7.3 In case, EMD is in the form of irrevocable Bank Guarantee the same shall be from any Indian scheduled Bank or from a branch of an International bank situated in India and registered with the Reserve Bank of India as scheduled foreign bank. All Foreign Bank Guarantees will be confirmed by a bank located in India acceptable to the Corporation.
- Any Bank Guarantee submitted by a tenderer shall be confirmed by the Issuing Bank within 10 days of receipt of HPCL's letter requesting for confirmation that it is genuine and validly issued in favour of HPCL. In this regard, the complete contact details (Name, Designation, Address, Tel No., mobile no., Fax No. and Email ID) of the issuing bank/correspondent bank in India should be mentioned in the covering letter of the Bank Guarantee.
- 7.4 The bid security shall be valid for 6 (Six) months from the Original Bid Due Date.
- 7.5 **Tenders received without Earnest Money Deposit will be rejected,** subject to exemptions as mentioned at clause no. 8 below.

7.6. Exemption of EMD/ Bid Security:

- 7.6.1. Public Sector Enterprises and Agencies registered as Micro/Small Enterprises (MSEs) or with National Small Scale Industries Corporation (NSIC) are exempted from EMD. For this purpose, in the event of the tenderer being a Public Sector Enterprise, a declaration to that effect and in case of agencies registered with NSIC or a MSEs, a copy of the registration Certificate or acknowledged copy of Entrepreneur Memorandum (EM-II) / UAM/ Udyam Registration Certificate should be submitted.
- 7.6.2. Industries registered with MSME shall provide necessary documentary evidence duly certified by statutory auditor as per Bidding Document. Also, the MSE / NSIC certificate provided shall be valid as on the date of bid opening; failing which the bids shall be summarily rejected.
- 7.6.3 Start-ups as recognized by Department for Promotion of Industry and Internal Trade (DPIIT) formerly known as Department of Industrial Policy & Promotion (DIPP).
- 7.6.4 In case, the EMD exemption letter / documents are uploaded in the HPCL e-proc site and hard copies are not received as on the due date, the offers shall be considered after due verification of the documents uploaded in the HPCL e-proc site.

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8.0 INTEGRITY PACT

The Integrity Pact duly signed by the authorized official of HPCL and the contractor will form part of this contract / Purchase order. The bidder shall comply with the requirements of the Integrity Pact. Pro-forma of Integrity Pact, which is issued along with the bidding document shall be returned by the bidder along with technical bid, 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.

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 / Security Deposit as per Integrity Pact.


9.0 GENERAL

- 9.1 All bidders shall be required to provide a declaration stating that they have not been banned or delisted by any government or quasi government agencies or PSUs. If a bidder has been banned by any government or quasi government agencies or PSU, this fact must be clearly stated and it may not necessarily be a cause of disqualification. If declaration is not given, the bid shall be rejected as non – responsive.
- 9.2 Subsequent to the submission of bid, bidders are not allowed to change the price.
- 9.3 Bidder shall have single point responsibility for project management and execution of complete scope covered in the tender.

10.0 INSTRUCTIONS REGARDING SUBMISSION OF BIDS:

- 10.1. Bid shall be submitted under 3 bid system in three PARTs as follows:
- EMD (THROUGH POST AS WELL AS IN E-PROC SYSTEM)
 - PART-I: PRE-QUALIFICATION BID (IN E-PROC SYSTEM)
All the required documents pertaining to Pre-Qualification Criteria as required in this tender should be submitted online in the e-Proc system.
 - PART-II: UN-PRICED TECHNO-COMMERCIAL BID (IN E-PROC SYSTEM)
 - PART-III: PRICED BID (IN E-PROC SYSTEM)
- 10.2. **For submission of EMD online**, please refer HPCL's e-procurement portal for guidelines on the same. **For submission of EMD in sealed envelope**, kindly follow the following procedure:

Please ensure to submit **EMD** (EMD format attached) **in a Sealed Envelope**, [on or before the Tender Due Date/ Extended Due Date & Time]:

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The above Envelope shall be super scribed as follows:

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| EMD | |
| TITLE | : REPLACEMENT OF AUTOMATIC CATALYST ADDITION SYSTEM IN FCCU-1 |
| TENDER NO. | : 22000406-HD-46009 |
| TENDER DUE DATE | : |

EMD (Part-I of bid) shall be submitted in a sealed envelope to:

DGM – Materials (P)

Project Materials Department

PO Box: 15, Hindustan Petroleum Corporation Limited

Malkapuram, Visakhapatnam – 530 011

Andhra Pradesh, India.

Telephone No.: 0891-289 4302 / 4325

E-mail: Msudhakar@hpcl.in / PraneethMaxim.Noronha@hpcl.in

NOTE:

The above sealed envelope shall be dropped in the tender box kept at the office of GM-Project Materials, on or before the tender due date / extended Due Date.


Please note that **Non-receipt of EMD on or before Due Date/ Extended Due date shall lead to rejection of all such bids.** HPCL shall not be responsible for any postal delays or non-receipt of EMD by tender due date and time, reasons whatsoever. In case Prices pertaining to the line items of the tender are mentioned the envelope, such Offers shall be summarily REJECTED, WITHOUT ANY reference to and/ or correspondence with the Tenderer.

Tenders received after the stipulated date and time for receipt of the tenders, due to any reasons what so ever shall be rejected.

- 10.3. Confidential Technical Data / Documents: Incase confidential technical data / documents have to be submitted by the vendor, same can be submitted in a sealed envelope on or before the Tender Due Date/ Extended Due Date & Time.
- 10.4. The bids prepared by the bidder, all correspondences and documents relating to the bids, exchanged by the bidder with HPCL, shall be written in English language only.
- 10.5. Bidders are requested to quote all the relevant information like taxes and duties, delivery period, and all other information as sought in the applicable columns in tender in the un-priced bid format.

11.0 SEQUENCE OF BID OPENING:

First, EMD shall be opened. After verification and establishing correctness of all the enclosures, PART-I i.e. Prequalification bid shall be opened in the e-proc site. After

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verification and establishing correctness of the enclosures i.e. PQC, the PART-II i.e. Unpriced bid shall be opened in the e-proc site. After establishing techno-commercial acceptability of the unpriced techno-commercial offers, the PART-III i.e. the priced offers of only techno-commercially acceptable bidders shall be opened in the e-proc site.

- 12.0 Reverse Auction, if applicable, shall be conducted at the discretion of HPCL before opening of priced offers of only techno-commercially acceptable bidders. The detailed terms and conditions of Reverse Auction are as per tender documents.
- 13.0 ORIGINAL DOCUMENTS
- 13.1 The following documents in addition to uploading the scanned copies of the same on the HPCL's e-procurement website, shall also be submitted in Original in physical form on or before bid due date and time.
- i. Supporting documents pertaining to 'PQC' duly authenticated as mentioned in clause 5.0 above.
 - ii. Power of Attorney
- 14.0 HPCL reserve the right to assess bidder's capability to execute this work by taking into account various aspects such as performance etc. for evaluation of bids.
- 15.0 Grievance Redressal: There is a Grievance Redressal Mechanism in HPCL for vendors, participating in the tender, the details of which are available on HPCL website www.hindustanpetroleum.com .
- 16.0 HPCL shall not be responsible for any costs or expenses incurred by bidder in connection with the preparation or delivery of Bids, including costs and expenses related with visits to the site.
- 17.0 Bids received after stipulated last date and time, due to any reasons what-so-ever, including postal delays, will not be considered.
- 18.0 HPCL reserve the right to reject any or all Bids received without assigning any reason.
- 19.0 Time and date of opening of price bids shall be intimated only to qualified and techno-commercially acceptable Bidders at a later date. Tender opening (unpriced bid as well as priced bid) will be done online at the time and dates specified in the tender. Vendors who have responded to the tender are requested to login at the specified date and time at HPCL e- procurement website (<http://etender.hpcl.co.in>) for witnessing the tender opening (unpriced bid as well as priced bid in case of technically accepted vendors)
- 20.0 Clarifications if any, can be obtained through e-mail: msudhakar@hpcl.in / PraneethMaxim.Noronha@hpcl.in

DGM- Materials
HPCL-Visakh Refinery