

Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

Name of work: Maintenance & Repair Jobs of TK-251B at HPCL Mumbai Refinery

1.0 HPCL invites e-bids for abovementioned work, under single stage two part system (Part-I: EMD/ copy of Udyam Registration Certificate, Integrity Pact and Techno-commercial part and Part-II: Price part) from competent agencies with sound technical and financial capabilities fulfilling the Qualification Criteria stated under Sr. No. 4.0 and its sub clauses below.

2.0 BRIEF SCOPE OF WORK:

Job: Maintenance & Repair Jobs of TK-251B at HPCL Mumbai Refinery.

3.0 SALIENT FEATURES OF THE BIDDING DOCUMENT

S/N		
1	Cost of Bidding Document	Nil
2	Earnest Money Deposit	Rs. 3,00,000/- (Rupees Three Lakhs only)
3	Time Schedule	Please refer Tender Document
4	Last date & time for receipt of Bids	21.12.2023 @ 14.00 HRS IST
5	Pre-bid Meeting	12.12.2023 @ 10:00 HRS IST
6	Opening of Part I (Unprice Bids)	21.12.2023 @ 14.00 HRS IST

4.0 PRE QUALIFICATION CRITERIA:

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

4.1 PRE QUALIFICATION CRITERIA (FINANCIAL):**4.1.a Annual Turnover:**

Tender requirement	For non-MSEs	For MSEs
Average Annual financial turnover of the Bidder during the last 3 years ending 31.03.2023 should atleast be	Rs. 45,00,000/-	Rs. 38,25,000/-

Note: 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.

Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

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.

4.2 PRE QUALIFICATION CRITERIA (TECHNICAL):

- 4.2.a Bidders shall have experience of having successfully carried out and completed similar work during the last 7 years ending 30.11.2023, for any one of the following:

Sl.	No. of completed Works	Amount (in Rs.)	
		For non-MSEs	For MSEs
1	Three similar completed works, each costing not less than the amount of	60,00,000	51,00,000
2	Two similar completed works, each costing not less than the amount of	75,00,000	63,75,000
3	One similar completed work costing not less than the amount of	1,20,00,000	1,02,00,000

Above-indicated amounts in PQC are Basic Values only, and exclusive of all Taxes. Bidder needs to submit Documents accordingly.

Definition of Similar Work:

Bidder should have executed Mechanical Maintenance jobs or Project Jobs or Turnaround Maintenance jobs such as Fabrication/Repair/Replacement jobs on Tankages, as a part of jobs carried out by them in Petroleum or Petrochemical or Fertilizer or Chemical Industries in India.

- 4.2.b If above mentioned criteria are not met then the bid is subject to rejection.
- 4.2.c In view of criticality of jobs, there is no exemption in Pre-Qualification Criteria to registered Start-ups.
- 4.2.d Complete Documentary evidence, **duly Notarised**, to be provided along with Bid in support of their fulfilling the Qualification Criteria as given at 4.1.a to 4.2.a for the following:



Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

- a) Copy of Purchase Order(s), clearly indicating Work involving Maintenance/ TA /Project jobs of tankages in Petroleum/ Petro-chemical/ Fertilizer/ Chemical Industries.
- b) Copy of Completion Certificate/s issued by the Customer ("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.
- c) Audited Balance Sheets and Profit & Loss Account Statements

Bidder should provide contact number, email ids of the users who have issued completion certificates.

- 5.0** The Tenderers should submit all Documents in the First Instance (i.e. in the Pre-Qualification/Technical Bid) itself, in support of fulfilling their Pre-Qualification Criteria. HPCL reserves right to complete Evaluation, based on the details furnished along with the Bid, without seeking any additional information.

HPCL reserves right to use their in-house information for assessment of Tenderer's capabilities.

- 6.0** Vendors who are qualifying PQC criteria are advised to make site visit for understanding the site conditions.
- 7.0** HPCL shall not be responsible for any expenses incurred by vendors in connection with the preparation & acceptance of bid, site visit if any and other expenses incurred.
- 8.0** If so desired, vendors shall study the same, understand the scope of work, obtain clarifications, if any, on the scope in its entirety.
- 9.0** Bidder should not be under liquidation, court receivership or similar proceedings.
- 10.0** Bidder shall furnish documentary evidence by way of copies of Purchase orders, completion certificates and balance sheets including Profit and Loss Accounts,

Certificate from Bank etc. along with the Bid to establish Bidder's conformance to Qualification Criteria.

Failure to meet the above Qualification Criteria will render the Bid to be rejected. Therefore, the bidder shall in his own interest furnish complete documentary

Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

evidence in the first instance itself, in support of their fulfilling the Qualification Criteria as given above.

11.0 Bids on Consortium or Joint Venture basis are acceptable.

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:

- (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.

12.1 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.

12.2 Fulfillment 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.

Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

- 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 the bidder(s) is/are a consortium (including an unincorporated JV), then the following conditions shall apply:
- a. Each member in a consortium may only be a legal entity and not an individual person;
 - b. the Bid shall specifically identify and describe each member of the consortium;
 - c. 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);
 - d. One participant member of the consortium shall be identified as the "Prime member" and contracting entity for the consortium;
 - e. 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;
 - f. the prime member shall fulfill each eligibility criteria;
 - g. a commitment shall be given from each of the consortium members 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;



Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

- h. No change shall be permitted in the number, nature or share holding pattern of the Consortium members after pre-qualification, without the prior written permission of the Owner.
- i. No change in project plans, timetables or pricing will be permitted as a consequence of any withdrawal or failure to perform by a consortium member;
- j. No consortium member shall hold less than 25% stake in a consortium;
- k. Entities which are affiliates of one another are allowed to bid either as a sole bidder or as a consortium only;
- l. Any person or entity can bid either singly or as a member of only one consortium.

12.3 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 fulfill each eligibility criteria. If such foreign company desires that the contract be entered into with the Indian arm, then a proper back to back 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 the 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 undertaking to provide all necessary technical and financial support to the Indian arm or to render the same themselves so as to ensure completion of the contract when awarded, an undertaking not to withdraw from the contract till completion of the work, etc.

13.0 THE BIDDERS CAN DOWNLOAD THE TENDER DOCUMENTS FROM THE WEBSITE www.hindustanpetroleum.com OF HPCL, UNDER SECTION "TENDERS" or from <http://etender.hpcl.co.in> AND SUBMIT THE BID OTHER RELEVANT DOCUMENTS on <http://etender.hpcl.co.in> site.

The offers received by fax/ telegram/ e-mail etc will not be considered. Any letters sent by fax/ telegram/ e-mail offering discounts, quoting prices etc will also not be considered.

Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

Notes:

Bidder should have digital certificate for participating in this e-tender.

- 14.0 **EMD:** The EMD shall be paid in the form of a Demand Draft, issued by scheduled bank (other than co-operative bank) in favour of Hindustan Petroleum Corporation Limited, payable at Mumbai or Bank Guarantee in the prescribed proforma issued by a Scheduled Bank in India (other than co-operative banks) and valid for Six (6) months from the due date of submission of bid or can be submitted online thru Net Banking.

Notes:

- (a) Indian Public Sector Enterprises (PSE) are exempted from submitting the EMD, subject to furnishing of the declaration to that effect.
- (b) Vendors registered as Micro/ Small Enterprise (MSEs) or with National Small-scale Industries Corporation (NSIC) in India, for similar works, are also exempted from submitting EMD, subject to furnishing of a copy of valid Udyam Registration certificate/ NSIC certificate duly signed by Chartered Accountant.
- (c) **Start-ups as recognized by Department for Promotion of Industry and Internal Trade (DPIIT) formerly known as Department of Industrial Policy & Promotion (DIPP) are exempted from submission of EMD.**
- (d) **EMD issued by any co-operative bank (scheduled co-operative also) is not acceptable.**
- (e) **Tenders received without EMD will be summarily rejected.**
- (f) **Offers received with Bank Guarantees (in lieu of EMD) of validity shorter than the specified in the format will be rejected.**

Original EMD in a sealed cover, clearly superscribed with Tender No., Due date and time on the envelope, should reach to the following address, preferably by Speed Post, before the due date and time specified in the tender/ addendums thereto.

EMD envelope should be dropped in Materials Box located at Refinery Main Gate or handed over to belowmentioned:

Mr. Gurdeep Singh
Sr. Manager – CPO (Ref.)
New Admin Building
HPCL Mumbai Refinery
B D Patil Marg, Chembur
Mumbai-400074



Detailed Notice Inviting Tender

(HPCL's Public Tender No 2300008629-HD-06000)

The scanned copies of EMDs should be uploaded along with other bidding document on <http://etender.hpcl.co.in>.

The tender box will be opened at 14:00 Hrs IST on the due date. Offers of bidders, who have submitted original EMD, will only be decrypted.

- 15.0 Grievance Redressal: There is a Grievance Redressal Mechanism in our Corporation for vendors, participating in the tender, the details of which are available on our website www.hindustanpetroleum.com.
- 16.0 Bids shall be submitted in <https://etender.hpcl.co.in> only
- 17.0 HPCL shall not be responsible for any expense incurred by bidders in connection with the preparation & delivery of their bids, site visit and other expenses incurred during the bidding process.
- 18.0 HPCL reserves the right to reject any or all Bids without assigning any reason, whatsoever.
- 19.0 The contents of this NIT shall prevail, in case of any contradiction with the clauses mentioned elsewhere.
- 20.0 For any updation / amendment to the tender bidders are requested to check at hpcl website www.hindustanpetroleum.com and/ or <http://etender.hpcl.co.in> by frequently visiting the site.