

NOTICE INVITING TENDER

FOR

**RTO (REAL TIME OPTIMIZER MODEL) IMPLEMENTATION IN
OFCCU & NFCCU AT MUMBAI REFINERY (MR) and FCCU-I & FCCU-II AT VISAKH REFINERY
(VR)**

(INDIAN COMPETITIVE BIDDING)



**HINDUSTAN PETROLEUM CORPORATION LTD.
VISAKH REFINERY**

Tender No.: 2400016200-HD-06600

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 VENDOR CODE AND CORRESPONDING VENDOR SELF SERVICE (VSS) 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 VSS 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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HINDUSTAN PETROLEUM CORPORATION LIMITED

1.0 INTRODUCTION:

- 1.1 M/s. Hindustan Petroleum Corporation Limited (HPCL) having its Corporate Office at 17, Jamshedji Tata Road, Mumbai 400020, is a major PSU in the Energy Sector, engaged in the business of Refining, Distribution and Marketing of Petroleum products. The subject work focusses on the Refineries SBU. HPCL operates two refineries located in Mumbai (West Coast) and Visakhapatnam (East Coast) with installed capacities of 7.5 MMTPA and 8.3 MMTPA respectively.
- 1.2 These refineries produce a wide range of petroleum products, lubricants, specialties and grease as per the BIS standard. The company has initiated ongoing projects to increase the capacity and modernize both the refineries. The Mumbai refinery also houses the country's largest Lube Refinery with a capacity of 4,28,000 Tons per annum accounting for over 40% of the installed capacity in the country.
- 1.3 HPCL has embarked on a Digital Transformation journey with a goal to become a Digital First Organization. It aims to harness the innovative digital technologies to achieve its business objectives such as improving operational efficiency, reduce costs, and streamline its supply chain, enhanced engagement with customers and also to make the organization more flexible, agile and responsive to the ever-changing market dynamics.
- 1.4 In this endeavour, both HPCL's Mumbai refinery (MR) & Visakh Refinery (VR) intend to develop a Real Time Optimizer Model with an objective of process optimization for their Fluidized Catalyst Cracking Units (FCCUs). The Major objective of this project is to develop a rigorous first principle-based optimization process models which will demonstrate value by recommending the optimum operating conditions in closed loop with APC (Advanced Process Control) subject to the process constraints for all ranges of feed being processed in the units.

2.0 BRIEF SCOPE OF WORK:

- 2.1 Scope of job is to design, engineering/development, supply, testing, installation (of software & hardware), commissioning and maintaining the end-to-end Real Time Optimizer Model for OFCCU & NFCCU units at Mumbai Refinery and FCCU-I & FCCU-II units at VR. Developed RTO model shall read feed & Product Prices, APC Limits, Plant Constraint limits and generate optimum targets for Optimization variables in APC.
- 2.2 A Closed loop RTO Model is to be deployed on-premise at both Mumbai Refinery & Visakh Refinery. The model shall have capability for future modifications for any major changes in unit operations with respect to change of feed or unit configurations etc.
- 2.3 Please refer tender document for details.



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3.0 TIME SCHEDULE:

The Project implementation shall be taken up simultaneously in all the units. Project shall be completed within the period given below:

- 3.1 Kick-off meeting is the zero date. Kick-off meeting shall be conducted within 2 weeks from the date of LOA / PO, whichever is earlier.
- 3.2 The total duration of the job shall be eleven months (11) from the zero date. Bidder to submit the schedule of implementation from the zero date to completion.
- 3.3 The breakup of activities and expected duration are given as under:
- 3.3.1 Kick Off Meeting: Zero Date.
- 3.3.2 Completion of Design Specification (DS): Within 2 months from Zero Date.
- 3.3.3 Completion of Model Acceptance Test (MAT): Within 4 months of completion of DS.
- 3.3.4 Site Acceptance Test (SAT) and Post Audit: Within 5 months from the date of completion of MAT.
- 3.4 Please refer tender document for details.

4.0 SALIENT FEATURES OF BIDDING DOCUMENT:

i.	Tender Document No.	2400016200-HD-06600
ii.	Bidding Document on Website	01-Oct-2024
iii.	Earnest Money Deposit / Bid Security	INR 47,50,000/- (Rupees Forty-Seven Lakh Fifty Thousand Only)
iv.	Due date of Receipt of Bidder's Queries for Pre-bid Meeting	11-Oct-2024
v.	Pre-Bid Meeting & Site Visit	14-Oct-2024 @ 11:00 Hrs (IST)
vi.	Last Date and time of Online submission of Bids (Bid Due Date)	23-Oct-2024 @ 15:00 Hrs (IST)
vii.	Opening of EMD in physical form	23-Oct-2024 @ 15:00 Hrs (IST)
viii.	Opening of Pre-qualification Bids (Part-I) in eProc site	23-Oct-2024 @ 15:00 Hrs (IST)
ix.	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)

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x.	Opening of Priced Bids (Part-III)	Shall be opened online in e-Proc site after review of Techno-Commercial Bids (Part-II)
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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 either through video conference / offline 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 4 days before the pre-bid meeting. The clarifications shall be provided during / post pre-bid meeting.

All revisions, clarifications, corrigenda, addenda, time extensions etc., to the tender will be hosted on e-procurement portal. Bidders should regularly visit this website to keep themselves updated.

Bidder shall consider in their priced bid, all the pre-bid discussions and subsequent corrigenda 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 visit the site location for better understating of the job scope & existing conditions in refinery before submitting the bid.


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. Sayyad Rasheed, Chief Manager – Technical
 Mr. Appari Vasant Rakesh, Chief Manager – APC and Digital
 Tel: 0891 – 289 4795 / 4832
 Email: sayyadrasheed@hpcl.in / rakeshvappari@hpcl.in

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

Mr. Praneeth Maxim Noronha, Senior Manager – Materials
 Mr. M. Sudhakar, GM – Materials
 Tel: 0891-286 4325 / 4302
 E-mail: PraneethMaxim.Noronha@hpcl.in / Msudhakar@hpcl.in

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5.0 PRE- QUALIFICATION CRITERIA (PQC):

The bidder shall meet the following prequalification criteria (both Financial & Technical) and submit supporting documents along with the offer.

5.1 FINANCIAL CRITERIA:

5.1.1 The Average Annual Financial Turnover of the bidder during last three financial years ending 31st March 2024 should not be less than **INR 11.60 Crores**. In case of companies, stand-alone financial statement shall be considered.

5.2 TECHNICAL CRITERIA:

5.2.1 Bidder shall have experience of having successfully carried out and completed similar 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:

- i) One similar completed work costing not less than **INR 1.71 Crores**
OR
- ii) Two similar completed works each costing not less than **INR 1.07 Crores**
OR
- iii) Three similar completed works each costing not less than **INR 0.85 Crores**


5.2.2 "Similar Work" is defined as "The implementation of online closed loop RTO model (First Principle Based) in FCCU (Fluidized Catalytic Cracking Unit) for process optimization comprising supply and installation of Software, Model building and Commissioning in Petroleum Refinery in India or abroad".

Note:

- i) The above indicated amounts (financial & technical) are basic values. Bidder needs to submit documents accordingly.
- ii) For arriving at cost of similar work, the value of work executed shall be brought to current costing level by enhancing the actual value of work at simple rate of 7% per annum, calculated from the date of completion to the date of bid opening.
- iii) In case PO submitted by vendor does not mention "First Principle based" online model for process optimization, then the vendor shall ensure that the same is mentioned in the job completion certificate.
- iv) HPCL may contact refineries and take inputs on the performance of the system; in case there is no response from the user refinery/company or they provide adverse comments, then bid is likely to be rejected at the discretion of HPCL.

5.3 Relaxation for MSEs:

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.

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5.4 DOCUMENTS REQUIRED FOR FULFILLING QUALIFICATION CRITERIA:

Documents for Financial Criteria:

- 5.4.1 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. Bidder shall submit complete set of audited annual financial statements.
- i) In case, the 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.
 - ii) In case audited balance sheets and profit and loss account for the immediate preceding financial year is not available as on Bid closing date, the Bidder has an option to submit the audited balance sheets and profit & loss account of the three previous years immediately prior to the last financial year.
 - iii) For the Bidders following financial year closing at the end of June, September or December, the last three financial years ending with, June 2023 or Sept 2023 or Dec 2023 will be considered.
 - iv) In case bidders submit turnovers for less than three years, and the same are not submitted even during tender evaluation, then for missing documents, the turnover shall be treated as zero and average for three years shall be calculated accordingly.
 - v) In case a bidder (a Parent Company) is having wholly owned subsidiaries but only a single consolidated annual report is prepared and audited which includes the financial details of their wholly owned subsidiaries, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the bidder certifying that separate annual report of bidder (without the financial data of subsidiaries) is not prepared and audited.
 - vi) Further, in case a bidder is a subsidiary company and separate annual report of the bidder is not prepared & audited, but only a consolidated annual report of the Parent Company is available, consolidated audited annual report shall be considered for establishing the financial criteria subject to statutory auditor of the parent company certifying that separate annual report of bidder is not prepared and audited.
 - vii) In case due to internal / local regulation, bidder is unable to submit audited balance sheet, the following shall apply:
 In such case CEO / CFO's certificate in original from the company or from the parent company (in case bidder is a subsidiary) stating the Turnover and Net worth of the bidding entity along with a declaration that the bidding company is not in a position to submit its financial statement as per the local / internal regulation (clearly specifying the applicable regulation) with an endorsement by Chartered Accountant / Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) shall be accepted.
 Wherever Chartered Accountant / Statutory Auditor / Certified Public Accountant (not being an employee or a Director or not having any interest in the bidder(s) company / firm) is not in a position to endorse such CEO / CFO's certificate due to local regulations, CEO / CFO's certificate in original without endorsement may be accepted provided a reference of the local regulation restricting this endorsement is given in the CEO / CFO certificate.



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5.4.2 Requirement of above certification shall not be applicable to published audited annual financial statements in English, if audited annual financial statements in English are uploaded by the bidder and its original booklets are submitted.

5.4.3 Documents for Technical Criteria:

- i) Original Purchase Orders / Work orders / Contract Agreement between the bidder and the Client AND
- ii) Any One of the below mentioned documents:
 - Certificate of Completion of Work
 - OR
 - Bills / Invoices certified by clients
 - OR
 - Proof of Payment (All related documents like bills/invoices, payment receipt, bank statement/GST receipt etc. establishing the fact that payment has been made against the same PO/WO/Contract)
 - OR
 - Self-certification from Bidder's Country Head or CEO or equivalent authority (as per Board resolution) on company's letter head indicating:
 - (a) Brief of work including the name of the client
 - (b) Contract period
 - (c) Date of completion
 - (d) Work Order reference
 - (e) Value of Work executed and
 - (f) client's references for each work order being claimed as per above criterion.

The certification from Bidder's Country Head or CEO or equivalent authority should be notarized or endorsed by the Statutory Auditor (not being an employee or a Director or not having any interest in the bidder(s) company/firm).


5.4.4 Submission of the Purchase Order / Work Order/ Contract Agreement is mandatory, and it shall clearly have the details of work to enable us to identify whether the bidder meets the technical criteria stipulated above or not. Only Purchase and Work Orders against single project / tender will be considered. Multiple Purchase and Work Orders may be considered for project extension or follow-on orders on the same project / tender within 7-years period as specified above.

5.4.5 Completion Certificate on client's letterhead indicating:

- (a) Brief scope of work
- (b) Contract period
- (c) Date of completion
- (d) Work Order reference
- (e) Value of work executed for each work order shall be submitted.

The completion certificate should be notarized or endorsed by the Statutory Auditor (not being an employee or a Director or not having any interest in the bidder(s) company/firm).

5.4.6 In case where the bidder cites the reasons of Non-Disclosure Agreement (NDA) for its inability to submit to submit necessary documents in support of meeting the similar work criteria, a certificate, in original, certifying all the required information, issued by

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CEO/CFO/MD/Country Head of the company along with a declaration that the bidding company is not in a position to submit the required documents owing to the NDA, needs to be submitted. The certification from bidder's Country Head or CEO/CFO/COO or equivalent authority should be notarized or endorsed by the Statutory Auditor (not being an employee or a Director or not having any interest in the bidder(s) company/firm).

- 5.4.7 In case the scope of work specified in Purchase order/ work completion certificate does not explicitly detail the experience sought as per the tender, certification from Bidder's Country Head or CEO or equivalent authority (as per Board resolution) on company's letterhead stating the work carried out and value of the work (along with Purchase order/ Work order details) needs to be submitted. The certification from Bidder's Country Head or CEO or equivalent authority should be notarized or endorsed by the Statutory Auditor (not being an employee or a Director or not having any interest in the bidder(s) company/firm).
- 5.4.8 In cases where a fully-owned subsidiary is participating basis the credentials of its Parent company the below mentioned document to be submitted:
Certification by the Country Head or CEO or equivalent authority (as per Board resolution) of the bidder or its parent company, on company's letterhead, stating (a) Client's Name (b) Brief scope of work (c) Contract period (d) Date of completion (e) Work Order reference (f) Value of Work executed for each work order submitted. The certification from Bidder's Country Head or CEO or equivalent authority should also be notarized or endorsed by the Statutory Auditor (not being an employee or a Director or not having any interest in the bidder(s) company/firm).
- 5.4.9 For Indian Bidders, Order value(s) in multiple currencies shall be converted to equivalent INR at the exchange rate of SBI TT selling rate as on the date of award of such proposed qualifying work(s).
- 5.4.10 All documents furnished by the bidder in support of PQC shall be:
Either
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
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
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 as per enclosed Annexure. This option shall not be applicable to Proprietorship / Partnership firms.
- 5.4.11 Submission of authentic documents is the prime responsibility of the Bidder. However, HPCL reserves the right of getting the document cross verified, at their discretion from the document issuing authority. Bidder shall provide all necessary assistance in this regard.
- 5.4.12 HPCL reserves the right to complete the evaluation based on the details furnished (without seeking any additional information) and / or in-house data, survey or otherwise. Basis such



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evaluations & findings, HPCL reserves right to reject a Bidder's offer without assigning any further reason whatsoever.

- 5.4.13 In case a foreign bidder submits any of the Bidder's Qualification support documents in any language other than English, then it will be the responsibility of such foreign bidder to also provide the English translation copy duly authenticated by any one of the following:
- Local chamber of commerce
 - Indian embassy in bidder's country
 - Any government approved translator/agency
 - Notary Public / Apostille in bidder's country
- 5.4.14 Bidders shall provide Client's references with valid contact details like Name, Designation, Address, contact number and Email ID for each work order being submitted as per above criterion. Bidder to submit list of customer support / service center in India with name and address.
- 5.4.15 Failure to meet the above Qualification Criteria will render the Bid to be summarily rejected. Therefore, the Bidder shall in their own interest furnish complete documentary evidence in the first instance itself along with their bids, in support of their fulfilling the Qualification Criteria as given above.
- 5.4.16 Notwithstanding any other condition / provision in the tender documents, in case of ambiguity or incomplete documents pertaining to PQC, bidders shall be given only one opportunity with a fixed deadline after bid opening to provide complete & unambiguous documents in support of meeting the PQ criteria. In case the bidder fails to submit any document or submits incomplete documents within the given time, the bidders tender will be rejected.
- 5.4.17 Normally experience of the bidding entity shall be counted. However, if the bidding entity is submitting experience of its branch office/ parent/ sister/ member of same network of global firm, it may be considered provided a certificate/undertaking is issued by the parent company of the bidder entity that the international resources/expertise from them (of whom experience or similar work is submitted for this tender) shall be made available as and when required to fulfil the commitments.
- 5.4.18 A job executed by a bidder for its own plant/projects shall not be considered as experience for the purpose of meeting requirement of experience criteria of the tender. However, jobs executed for Subsidiary/ Fellow Subsidiary/ Holding company will be considered as experience for the purpose of meeting experience criteria subject to submission of tax paid invoice(s) duly certified by Statutory auditor of the bidder towards payments of statutory tax in support of the job executed for Subsidiary/ Fellow Subsidiary/ Holding company. Such bidders shall submit these documents in addition to the documents specified in the PQ Documents to meet Experience Criteria. In case of India bidders, they should be separate entities with different PAN no. and GSTN details.
- 5.4.19 In case the Bidder is not the OEM of the software to be supplied, the Bidder shall submit an authorization certificate from respective OEM(s), hereinafter called the "MAF" (Manufacturer's Authorization Form), the OEM authorizing the bidder to participate in this tender, clearly mentioning that the OEM will provide back-to-back support for meeting the

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technical and functional requirements of the project. Bidder must have back-to-back arrangement with the all the software OEMs for enterprise support.

6.0 ELIGIBILITY OF BIDDERS:

6.1 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.

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


- i) controls either directly or indirectly a Party, or
- ii) which is controlled directly or indirectly by a Party; or
- iii) 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.

6.2 Bids may be submitted by:

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

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

- i) The bidder (including an incorporated JV which has completed 3 financial years after date of commencement of business) shall fulfil each qualification criteria (PQC).
- ii) 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.
- iii) Subsidiaries / Affiliates of Indian or foreign companies which are registered in India and having manufacturing facilities or establishment towards providing services in

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India are allowed to participate in this 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).

6.4 General Eligibility and Qualification conditions:

- i) All eligible bidders meeting the eligibility criteria as defined in Notice Inviting Tender (NIT) 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 **SUBMISSION OF BIDS & VALIDITY:**

- 7.1 Bids are required to be submitted only through HPCL e-procurement site (<https://etender.hpcl.co.in>) using valid digital signature Certificates.
- 7.2 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.
- 7.3 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 or +91 7710911191 on any day between 10.00 AM to 6.00PM except on Sundays/Public holidays.
- 7.4 Validity of bid shall be **4 (four)** months from the final bid due date.

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8.0 BID SECURITY / EARNEST MONEY DEPOSIT (EMD):

8.1 EMD amount shall be as per clause no. 4.0 as above.

8.2 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.

8.3 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.

Issuance of Bank Guarantee shall be confirmed by the 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 SFMS, the Owner's Bank Details/other information are as follows:

ICICI Bank, Backbay Branch, Mumbai

IFSC Code : ICIC0000393


HPCL's Customer ID: 508902133

Unique Identifier Code (UIC) : HPCL508902133VR

Note: BG Issuance advice should mention applicable Unique Identifier Code (UIC) in row/field number 7037 of SFMS Delivery Report. The BG should be submitted as per the HPCL's format along with print out of SFMS Delivery report from the BG Issuing Bank Branch.

8.4 Vendors are required to submit Bank Guarantee from Nationalized Bank / Scheduled Bank (other than Cooperative bank). The list of Scheduled Banks as per RBI (Schedule II of RBI Act) is available on RBI website at https://m.rbi.org.in/scripts/bs_viewcontent.aspx?id=3657. From the list available under above link, Bank Guarantees from the following categories are only acceptable:

- i) Scheduled Public Sector Banks
- ii) Scheduled Private Sector Banks
- iii) Scheduled Foreign banks in India
- iv) Scheduled Small Finance Banks – AU Small Finance Bank Limited.

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BGs will not be accepted from Payments Bank and Small Finance Bank other than bank(s) specifically mentioned above.

8.5 The bid security shall remain valid for a period of **45 (forty- five)** days beyond the final bid validity period.

8.6 **Tenders received without Earnest Money Deposit will be rejected**, subject to exemptions as mentioned below.

8.7 **Exemption of EMD / Bid Security:**

8.7.1 The following categories of tenderers are exempted from EMD (Bid Security):


- i) Public Sector Enterprises: In the event of the tenderer being a Public Sector Enterprise, a declaration to that effect should be submitted.
- ii) Vendors registered as Micro / Small Enterprises (MSEs): 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.
- iii) Start-ups as recognized by Department for Promotion of Industry and Internal Trade (DPIIT) formerly known as Department of Industrial Policy & Promotion (DIPP).
- iv) Categories as per GeM GTC.

8.7.2 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 / Proposals for contracts with the Procurement Authority. **If Bid declaration is not given, such bids will be rejected.**

8.7.3 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.

8.8 Bidder's bid security will be forfeited if the bidder:

- i) withdraws or amends its / his tender;
- ii) impairs or derogates from the tender in any respect within the period of validity of the tender;
- iii) if the bidder does not accept the correction / loading as per bid terms of his bid price during evaluation;
- iv) if the successful bidder fails to sign the contract or furnish the required performance security within the specified period.

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9.0 INTEGRITY PACT:

- 9.1 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, DULY SIGNED, SHALL LEAD TO OUTRIGHT REJECTION OF SUCH BID.**
- 9.2 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.
- 9.3 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.

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) / EMD Exemption Declaration in a Sealed Envelope (on or before the tender due date / extended due date & time):

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The above Envelope shall be superscribed as follows:


EMD
TITLE : RTO (REAL TIME OPTIMIZER MODEL) IMPLEMENTAION IN OFCCU & NFCCU AT MUMBAI REFINERY (MR) and FCCU-I & FCCU-II AT VISAKH REFINERY (VR)
TENDER NO. : 2400016200-HD-06600
TENDER DUE DATE :

EMD shall be submitted in a sealed envelope to:

GM – Materials, Materials Department
2nd Floor, Administrative Building (A Block)
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:

- a) **The above sealed envelope** shall be dropped in the tender box kept at the office of GM – Materials (2nd Floor, Admin Building), on or before the tender due date / extended Due Date & time.
 - b) Please note that **non-receipt of EMD on or before due date / extended due date & time 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.
 - c) **Tenders received after the stipulated date and time for receipt of the tenders, due to any reasons whatsoever 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.

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11.0 SEQUENCE OF BID OPENING:

- 11.1 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 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.
- 11.2 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.

12.0 ORIGINAL DOCUMENTS:

- 12.1 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

13.0 GENERAL:

- 13.1 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 or GeM. If a bidder has been banned by any government or quasi government agencies or PSU or GeM, this fact must be clearly stated and it may not necessarily be a cause of disqualification.
- 13.2 Subsequent to the submission of bid, bidders are not allowed to change the price.
- 13.3 Bidder shall have single point responsibility for project management and execution of complete scope covered in the tender.
- 13.4 Please note that mere conformity to the Pre-Qualification criteria does not imply that the bidder is qualified for the price bid opening. Bidder qualification/ credentials shall be subject to detailed scrutiny of the bid submitted and other reviews, if required. In case of any ambiguity in the documentary evidence submitted by the bidder, HPCL reserves the right to ask for submission of additional documents / clarification as required, and bidder needs to comply to that.
- 13.5 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.
- 13.6 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



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- 13.7 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.
- 13.8 Bids received after stipulated last date and time, due to any reasons what-so-ever, including postal delays, will not be considered.
- 13.9 HPCL reserve the right to reject any or all Bids received without assigning any reason.
- 13.10 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)
- 13.11 Clarifications if any, can be obtained through e-mail: msudhakar@hpcl.in / praneethmaxim.noronha@hpcl.in