

Earnest Money Deposit (EMD)

1. The interest-free Earnest Money Deposit (EMD) of **Rs. 2,50,000/- (Rupees Two Lakh fifty Thousand Only)** to be submitted by bidder. The EMD shall be generally arranged prior to the Bid Submission Due Date & time as mentioned in the tender or corrigendum thereof.

The permissible forms of EMD are:

- a) **Electronic Funds Transfer to BPCL's Bank Account** as mentioned below.

NAME OF THE BANK - STANDARD CHARTERED BANK
NAME OF THE BRANCH - M.G. ROAD
ADDRESS OF THE BANK - 90, M G ROAD, FORT, MUMBAI – 400 001
NEFT IFSC CODE - SCBL0036001
9 DIGIT MICR CODE - 400036002
TYPE OF A/C - 11 (CURRENT)
ACCOUNT NO. – 22205020115

For refund of EMD deposited through NEFT, vendor must have vendor code issued by BPCL. In case it is not available, vendor need to submit requisite documents as communicated by BPCL. Once vendor code is made available then only EMD shall be refunded.

- b) Bank Guarantee (BG) executed by any Scheduled Bank (As per list attached). The BG shall remain valid for a minimum period of six months from the due date of opening the tender.

The following categories of bidders are however exempted from depositing EMD:-

- a) Units registered with National Small Scale Industrial Corporation Limited (NSIC).
- b) Units falling under Micro & Small Enterprises (MSEs) category and registered with authorities specified under Public Procurement Policy for MSEs and as defined under the MSMED Act 2006.

The above are subject to the fulfilling of under mentioned conditions:

- i. Units should be registered with National Small Scale Industrial Corporation Limited (NSIC) or with any of the Authorities specified under the Public Procurement Policy for MSE's. (DIC/KVIC/KVIB/Coir Board/NSIC/Directorate of Handicrafts and Handloom or any other body specified by Ministry of MSME and **should be manufacturer of primary product category.**
- ii. Registration Certificate is valid for a period at least up to validity of the offer.
- iii. Self-attested copy of valid relevant registration certificate should be submitted in support.
- iv. Registration with DGS&D will not entitle a Tenderer to claim above exemption.

- v. Units registered with National Small Scale Industrial Corporation Limited (NSIC) or MSE subject to:
Such bidders must upload appropriate proof at location specified for the same in the etender, to show that they are eligible for the exemption from EMD (application for registration as NSIC / Udyam registration / MSE or for renewal will not be acceptable), failing which such bid will be treated as bid received without EMD and liable to be rejected.
 - vi. **All MSEs who are having Udyog Aadhaar Memorandum (UAM) /EM I/ EM II shall not be given benefits available under Public Procurement Policy for MSEs order 2012.** They are required to file fresh registration in the new Udyam Registration Portal (<https://udyamregistration.gov.in>) and submit the same in tender for getting EMD as well as MSE purchase preference. All enterprises registered with MoMSME and whom registration have been re-classified in accordance with notification no S.O.2119 (E) dated 26/06/2020, they are required to submit Udyam Registration certificate.
 - vii. Bidders must have to submit copy of MSE registration certificate along with Charter accountant (CA) certificate (Exempted in case of NSIC submitted). In case CA certificate in not submitted, bid of the bidder shall be rejected at EMD stage.
2. This EMD clause shall not be applicable to the Bidders registered with Bharat Petroleum Corporation Limited only in case of limited tenders / single tenders.
 3. In case start up is a MSE, Purchase preference shall be extended as per MSE policy. However, for non MSE startups, only EMD exemption shall be extended.
 4. Traders/distributors/sole agents shall not be extended any EMD purchase preference. They need to submit EMD in permissible form as mentioned above.
 5. The Bank Guarantee in lieu of EMD shall be furnished on non-judicial stamp paper of appropriate value and in the prescribed Performa given in the Tender Document.
 6. Original BG as the case may be, towards EMD shall be sent separately at the following address :

Ranjeet Kumar
Procurement Manager (PG-5) CPO MR
CPO Dept., 2nd Floor, South block, Admin Bldg.,
BPCL Refinery, Mahul, Mumbai – 400074.

- Copy the BG as the case may be, along with proof of dispatch to be uploaded at location specified for the same in the etender. Bids without EMD are liable to be rejected.
7. EMD of other unsuccessful bidders shall be released after issuance of FOA/LOA/contract Order against this tender. However, in case of successful bidder the EMD shall be released on receipt of performance bank guarantee.
 8. Forfeiture of EMD - A bidder's EMD will be forfeited if the bidder withdraws or amends its/his tender or impairs or derogates from the tender in any respect within the period of validity of the tender or if the successful bidder fails to furnish the required performance security within the specified period in applicable cases.
 9. The Earnest Money deposited by successful tenderer shall be forfeited if the successful tenderer fails to honour the offer terms prior to ordering and Contractual terms after issuance of FOA/LOA/contract Order.

10. Offers received without scan copy of EMD (BG/Valid NSIC Certificate) in the e-tender and physically not received within 7 days after Bid Submission Due Date (as indicated in the etender or corrigendum thereof) are liable to be rejected.
11. No interest will be allowed on EMD / Security Deposit.
12. **For submitting BG for EMD purpose** BPCL Bank details shall be as follows :

Name of the Beneficiary as per Bank Record

BHARAT PETROLEUM CORPN LTD.

Address of the Beneficiary

4 & 6, Currimbhoy Road,
Ballard Estate, Mumbai - 400001

Bank Account Number - 11083986979
Account Type - Cash Credit

Name & Address of the Bank & Branch -
State Bank of India, CAG Branch, Corporate Accounts Group,
Neville House, 3rd Floor, J. N. Heredia Marg,
Ballard Estate, Mumbai - 400001
Bank Branch MICR Code 400002133
Bank Branch IFSC Code SBIN0009995

Note:- Bidder is strictly advised not to make any online transaction to make payment against EMD vide NEFT/IMPS/RTGS in BPCL Bank Account Number – 11083986979. For electronic fund transfer refer BPCL bank A/c no 22205020115 mentioned above under clause 1 a. The details mentioned above are particularly for Bank Guarantee purposes only.

BID QUALIFICATION CRITERIA (BQC)

For Goods: - 14' SS321 with such 160 pipe ASTM A358 TP 321 Class 1 pipe for H2+ NACE service

Technical Criteria:-

The Bidder or its OEM {themselves or through re-seller(s)} should have supplied same or similar Category Products at least 27 meter in single length, in at least one of the last three financial years before the bid opening date to any Central / State Govt Organization / PSU / Public Listed Company.

Definition of same or similar Category Products:-

The Bidder shall have supplied austenitic stainless steel (300 series) double welded pipes with not less than 8-inch NB (Nominal bore) or outside diameter 218.3 mm and thickness not less than 18.26 mm (schedule 120)

Financial Criteria:-

The minimum average annual financial turnover of the bidder during the last three years, ending on 31st March of the previous financial year, should be **Rs.49/- Lakhs.**

Documentary evidence in the form of certified Audited Balance Sheets of relevant periods or a certificate from the Chartered Accountant / Cost Accountant indicating the turnover details for the relevant period shall be uploaded with the bid. In case the date of constitution / incorporation of the bidder is less than 3-year-old, the average turnover in respect of the completed financial years after the date of constitution shall be taken into account for this criteria.

Net Worth:- Net Worth of the Bidder / OEM should be positive as per the last audited financial statement.

Bidders Qualification Criterion other conditions:-

Bidder should upload following Bidders Qualification Criterion (BQC) supporting documents in un-priced technical bids of the e-tender.

- i. Offer from Joint Ventures / Consortium will not be acceptable.
- ii. Registration certificate of company / partnership deed, etc as applicable.
- iii. GST registration certificate.
- iv. Permanent Account Number [PAN]
- v. Documentary proof in the form of Purchase Order / Contract copy and Client's certification for the value of work done as per BQC. Bidder should ensure uploading / submission of complete information / documents in the first instance itself at specified location in the e-tender. Qualification may be completed based on the details so furnished without seeking any subsequent additional information. BPCL reserve the right to complete the evaluation based on the details furnished without seeking any additional

information. After the submission of bid, bidders are not allowed to change the price or substance of the bid.

- vi. **Bidders need not provide TPIA verified documents along with the bid. They need to provide only undertaking giving assurance to submit TPIA verified documents in case they are successful bidder after price bid opening.** Refusal to submit the undertaking by bidder shall be considered as rejection criteria for bid evaluation and necessary action shall be taken as per tender terms and conditions.
- vii. All Copies of BQC documents to be submitted for this tender should be duly verified with originals & attested by any one of the following independent third-party inspection agency (TPIA). All charges for verification & attestation by TPIA shall be borne by the Bidders.

<https://nabcb.qci.org.in/inspection-body/>

- viii. If there are no changes in the document data considered for BQC qualification and these documents already verified & attested by any of the above mentioned independent third-party inspection agency (TPIA), such verified documents can be submitted for qualifying the BQC without further verification and attestation from TPIA. TPIA undertaking in this regard shall be exempted only if all BQC qualifying supporting documents already have TPIA certification and attestation and no new documents have been added for BQC qualification. In case any new documents (Either technical or financial) is considered for addition for BQC qualification, in that case verification and attestation of new documents from TPIA is mandatory.
- ix. Bidder must share, the duly verified & attested documents along with the respective TPIA verification certificates duly signed & stamped by authorized signatory of TPIA before the date and time given after price bid. Separate undertaking from the TPIA as per the attachment in e-tender shall be uploaded as a part of the BQC bid.
- x. All charges for TPIA and other documents preparation for BQC and tender qualification shall be borne by bidders.
- xi. The bidder must submit audited Balance sheets, Profit and loss statement and Income Tax Return (ITR) for FYs 2023-24, 2022-23 & 2021-22. Financial Year shall be Year Ending 31st March or as followed by the bidder. Further, for bidders who have not finalized their books of account for the financial year 2023-24, evaluation of these criteria would be done for the latest three financial years ending 2022-23 for which books of account has been finalized and audited. Audited Profit & Loss Account, Balance Sheets/Statement of Assets & Liabilities etc. for the immediately preceding three financial years.
- xii. Bidder should submit a declaration to the effect that they are not currently serving any Holiday Listing orders issued by BPCL or MOPNG debarring them from carrying on business dealings with the BPCL/MOPNG. Offers not accompanied with this declaration shall be rejected. Any wrong declaration in this context shall make the Agency liable for action under this Holiday Listing procedure.
- xiii. Bidder shall submit all relevant documents of their proven track records and satisfactory performance by giving detailed reference (email address/ contact details) of end user(s). Owner shall have the right to obtain feedback directly from any or all end user(s) about performance of the bidder.
- xiv. Submission of authentic documents is the prime responsibility of the bidder. Wherever BPCL has concern or apprehension regarding the authenticity / correctness of any document, BPCL reserves the right of getting the documents cross verified from the document issuing authority. In case of non-submission of the required documents or

ambiguity or incomplete documents, BPCL reserves the right to reject the bidder's tender without assigning any reason.

- xv. BPCL reserves the right to assess the capability and capacity of the bidder.
- xvi. BPCL reserves the right to verify the successful completion of qualifying jobs & bidder shall arrange permissions for visiting these installations.
- xvii. Bidder submitting the bid should not be under liquidation or involved in similar proceedings.
- xviii. BPCL 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 bidding process and all such expenses shall be borne by the bidder.
- xix. The bidder shall agree to BQC and shall submit required documents in support of the same, failing which the offer will be liable for rejection.

Note:- During evaluation and comparison of bids, the purchaser may, at his discretion, ask the bidder for clarifications on the bid. The request for clarification shall be given asking the tenderer to respond by a specified date. If the tenderer does not comply or respond by the date, his tender will be liable to be rejected. **No change in prices or substance of the bid shall be sought, offered or permitted.** No post bid clarification at the initiative of the bidder shall be entertained. The shortfall information / documents shall be sought only in case of historical documents which pre-existed at the time of the tender opening and which have not undergone change since then. So far as the submission of documents is concerned with regard to qualification criteria, after submission of the tender, only related shortfall documents shall be asked for and considered. For example, if the bidder has submitted a work order without its completion / performance certificate, the certificate can be asked for and considered. However, no new work order shall be considered for BQC qualification.