



PMC Cell – MM

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No: DLI/CORP-MM/2022/PMC/13(108)/1056188

Dated: 31.03.2023

Sub: Eligibility and Experience Criteria for Consortium in Indigenous Tenders for Service Contracts for Specialized services

Reference is invited to Circular No. 57/2020 dated 26.11.2022, wherein inter-alia Eligibility Criteria to be incorporated in Indigenous Tenders for specialized services on case to case basis with the approval of concerned Director, has been specified. As per the said Eligibility Criteria, in case of bid from Consortium of Companies, leader of Consortium must be a company incorporated in India and Consortium shall maintain minimum 20% local content.

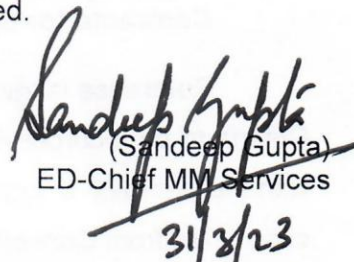
The above Eligibility Criteria has been examined and modified as under:

Existing Provision	Modified Provision	Remarks
<p>Eligibility criteria:</p> <p>Only the Companies incorporated in India which maintain minimum 20% local content for the offered services are eligible to participate. With regard to calculation of local content and submission of documents during bidding & execution of contract, provision of <u>Purchase Preference Policy (Linked with Local content)</u> shall be applicable. If such local content is not maintained during execution of contract, ONGC reserves the right to invoke the PBGs submitted by the bidding and supporting companies.</p> <p>In case of bid from Consortium of Companies, leader of Consortium must be <u>a company incorporate in</u></p>	<p>Eligibility criteria:</p> <p>Only the Companies incorporated in India which maintain minimum 20% local content for the offered services are eligible to participate. With regard to calculation of local content and submission of documents during bidding & execution of contract, provision of <u>Public Procurement (Preference to Make in India) Order 2017" (MII)</u>, read with <u>MoPNG Notification dated 26.04.2022 on PPP-MII Order (as amended from time to time)</u> shall be applicable. If such local content is not maintained during execution of contract, ONGC reserves the right to invoke the PBGs submitted by the bidding and supporting companies.</p> <p>In case of bid from Consortium of Companies, leader <u>and all other members</u> of Consortium must be <u>companies incorporated in India</u></p>	<p>Underlined portion modified</p>

India and Consortium shall maintain minimum 20% local content.	and Consortium shall maintain minimum 20% local content.	
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Further, for other NCB/Domestic Tenders for LSTK Contracts/ Hiring of Services also, Leader and all other members of Consortium must be companies incorporated in India. Accordingly, relevant provisions of BEC for Service Contracts-Indigenous has been modified and attached as Annexure-I. Similar provisions may also be incorporated in NCB/Domestic Tenders for LSTK contracts.

Above guidelines should be meticulously followed by all concerned.


(Sandeep Gupta)
ED-Chief MM Services
31/3/23

Distribution: (Through ONGC's intranet website 'reports.ongc.co.in').

All concerned may download the circular from the site. Hard copies are not distributed separately.

Statement showing existing vis-à-vis modified provisions of Bid Evaluation Criteria for Service Contracts-Indigenous

Clause	Existing Provisions	Modified Provisions	Remarks
BEC Clause 2.1(a)-II	<p>Where consortium bids are allowed, leader and members of consortium should themselves meet the experience criteria covering the respective activities of work to be performed by them on their own and not through any other arrangement like through Supporting Company, Parent / Subsidiary / Sister Subsidiary / Co-Subsidiary / Technical Collaboration / Sub-contracting. Necessary documentary evidence to this effect should be submitted with techno-commercial bid.</p> <p>The members of consortium shall decide the Leader of consortium. The leader of consortium shall have minimum 26% stake in terms of bid value, as reflected in the MOU executed by the consortium members. Each member of consortium shall remain jointly and severally liable to ONGC.</p> <p>For this purpose the role and scope of work to be performed by the respective consortium members expressed as a percentage of bid value should be indicated in the Memorandum of Understanding (MOU) submitted along with techno-commercial bid as per format provided in the tender.</p> <p>2.1.1 Notwithstanding the provisions that the members of consortium shall be jointly and severally liable to ONGC, the leader of consortium should undertake unconditional acceptance of primary responsibility of executing the entire 'Scope of work' of this tender. This confirmation should be submitted along with the techno-commercial bid.</p> <p>2.1.2 A constituent of the Consortium shall not be permitted to participate either in an individual capacity as a bidder or as a member of another Consortium in the same tender.</p> <p>2.1.3 Only that consortium member who has undertaken a particular activity in execution of a contract shall be considered as having technical experience of that particular activity.</p> <p>Note: For detailed conditions on consortium bid refer clause 1.3 & 7.14 of ITB.</p>	<p>Where consortium bids are allowed, leader and members of consortium should themselves meet the experience criteria covering the respective activities of work to be performed by them on their own and not through any other arrangement like through Supporting Company, Parent / Subsidiary / Sister Subsidiary / Co-Subsidiary / Technical Collaboration / Sub-contracting. Necessary documentary evidence to this effect should be submitted with techno-commercial bid.</p> <p>The members of consortium shall decide the Leader of consortium. The leader of consortium shall have minimum 26% stake in terms of bid value, as reflected in the MOU executed by the consortium members. Each member of consortium shall remain jointly and severally liable to ONGC.</p> <p>For this purpose the role and scope of work to be performed by the respective consortium members expressed as a percentage of bid value should be indicated in the Memorandum of Understanding (MOU) submitted along with techno-commercial bid as per format provided in the tender.</p> <p>2.1.1 Notwithstanding the provisions that the members of consortium shall be jointly and severally liable to ONGC, the leader of consortium should undertake unconditional acceptance of primary responsibility of executing the entire 'Scope of work' of this tender. This confirmation should be submitted along with the techno-commercial bid.</p> <p>2.1.2 A constituent of the Consortium shall not be permitted to participate either in an individual capacity as a bidder or as a member of another Consortium in the same tender.</p> <p>2.1.3 Only that consortium member who has undertaken a particular activity in execution of a contract shall be considered as having technical experience of that particular activity.</p> <p>2.1.4 <u>The leader and all other members of Consortium must be Companies incorporated in India</u></p> <p>Note: For detailed conditions on consortium bid refer clause 1.3 & 7.14 of ITB.</p>	Underlined portion added.