



PM Cell – MM

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Circular No.71/2023 - cum-IMMM Amendment No. MM/104/2023

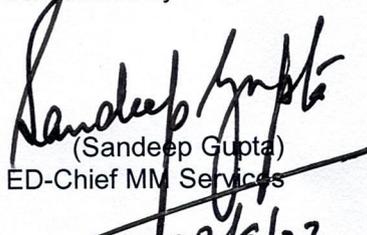
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Dated:22.09.2023

Sub: Review of provision related to relaxation in BEC for Start-ups

Reference is invited to Provisions under Para 90 of IMMM, wherein inter-alia provisions related to relaxations to be provided to Start-ups, have been specified.

EPC in its meeting (27/2023) held on 07.09.2023 reviewed the above provisions and in accordance with the decision taken in the said meeting of EPC, relevant provisions of IMMM and Standard BEC for Procurement of Goods stand modified as per Annexure-1 and 2 respectively.

Above guidelines come into force with immediate effect and should be meticulously followed by all concerned.


(Sandeep Gupta)
ED-Chief MM Services

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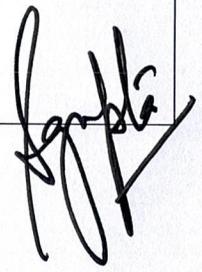
All concerned may download the circular from the site. Hard copies are not distributed separately.

Statement showing existing vis-a-vis modified provisions of Integrated MM Manual

Clause Ref. of IMMM	Existing Provision	Modified provision	Remarks
90.3	<p>For availing exemption from furnishing EMD/Bid Security and for seeking Development Order, Start-ups are required to submit the following documents:</p> <p>(i) Registration Certificate issued by Department for Promotion of Industry and Internal Trade (DPIIT), earlier known as Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce, certified by Start-up Director/Partner. <i>[The certificate shall be validated by dealing officer through Startup India portal, of GOI (https://www.startupindia.gov.in).]</i> A declaration from the Directors/Partner of the start-up stating that bid is submitted by Start-up as Manufacturer of the quoted item (in case of procurement of Goods)/ Provider of quoted services (in case of procurement of services) and not as a trader/dealer/distributor.</p>	<p>For availing exemption from furnishing EMD/Bid Security, for seeking Development Order <u>and relaxation from Prior Experience Criteria (as detailed as Para 90.4 below)</u>, Start-ups are required to submit the following documents:</p> <p>(i) Registration Certificate issued by Department for Promotion of Industry and Internal Trade (DPIIT), earlier known as Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce, certified by Start-up Director/Partner. <i>[The certificate shall be validated by dealing officer through Startup India portal, of GOI (https://www.startupindia.gov.in).]</i> A declaration from the Directors/Partner of the start-up stating that bid is submitted by Start-up as Manufacturer of the quoted item (in case of procurement of Goods)/ Provider of quoted services (in case of procurement of services) and not as a trader/dealer/distributor.</p>	Underlined portion added
90.4	<p>In case Start-up does not meet the Experience Criteria as per BEC, Start-up can submit their proposal separately, and not against the instant tender requirement, for Development Order to INDEG Cell, ONGC about its product/services along with the documents as mentioned at para 90.3. Development order procedure as per Para 17.2 of IMM Manual shall be followed in this regard.</p>	<p>In case Start-up does not meet the Experience Criteria as per BEC, <u>but they have successfully executed a Purchase Order placed by ONGC/OIL/IOCL/HPCL/BPCL/GAIL and the material supplied has been used in field satisfactorily, then such Start-up bidders will be considered as proven source for that material. Such Start-up bidder will be considered meeting the experience criteria stipulated in BEC akin to bidder having successfully executed Development Order. (However, this relaxation will not be applicable for cases as detailed under para 90.5 below)</u>. Otherwise, Start-up can submit their proposal separately, and not against the instant tender requirement, for Development Order to INDEG Cell, ONGC about its product/services along with the documents as mentioned at para 90.3. Development</p>	Underlined portion added.



	<p>Further, in case start-up wants to offer their product/service even though ONGC has not floated any tender for the same, but the material/service is being regularly required by ONGC, Start-ups can submit their proposal requesting for Development Order, for a particular item or Services to INDEG Cell. After examining the proposal of the Start-up, by following the similar process as per development order procedure, development order may be awarded.</p> <p>For this purpose, link will be provided in ONGC tender website, regarding 'relaxations available to Start-ups'.</p>	<p>order procedure as per Para 17.2 of IMM Manual shall be followed in this regard.</p> <p>Further, in case start-up wants to offer their product/service even though ONGC has not floated any tender for the same, but the material/service is being regularly required by ONGC, Start-ups can submit their proposal requesting for Development Order, for a particular item or Services to INDEG Cell. After examining the proposal of the Start-up, by following the similar process as per development order procedure, development order may be awarded.</p> <p>For this purpose, link will be provided in ONGC tender website, regarding 'relaxations available to Start-ups'.</p>	
90.5	<p>Start-ups shall be considered as established source for supply of such items/providing such services, for which they have successfully executed development order and they will not be required to submit documents for satisfying experience criteria as per BEC, except for following cases:</p> <p>(i) LSTK Contracts</p> <p>(ii) Tenders wherein QCBS/LCS shall be adopted as per policy guidelines.</p> <p>(iii) Items/services falling under the category related to public safety, health, critical security operations and equipment etc.</p> <p>(iv) Service contracts in connection with offshore operations.</p> <p>For the above cases, Start-up, even after successful execution of development order, shall be required to meet experience requirement as stipulated in tender in full and no relaxation from 'Prior experience Criteria' will be provided.</p>	<p>Start-ups shall be considered as established source for supply of such items/providing such services, for which they have successfully executed development order and they will not be required to submit documents for satisfying experience criteria as per BEC, except for following cases:</p> <p>(i) LSTK Contracts</p> <p>(ii) Tenders wherein QCBS/LCS shall be adopted as per policy guidelines.</p> <p>(iii) Items/services falling under the category related to public safety, health, critical security operations and equipment etc. <u>(with adequate justification from Indenting section duly approved by sanctioning authority (L-1 Level executive shall have full powers in this regard))</u>.</p> <p>(iv) Service contracts in connection with offshore operations.</p> <p>For the above cases, Start-up, even after successful execution of development order, shall be required to meet experience requirement as stipulated in tender in full and no relaxation from 'Prior experience Criteria' will be provided.</p>	Underlined portion added.



Annexure-2

Statement showing existing vis-a-vis modified provisions of Standard BEC (ICB/NCB) for Procurement of Goods.

BEC clause	Existing Provision	Modified provision	Remarks
B.2.3 of BEC of Procurement of Goods- ICB/Indigenous	No provision	<p><i>(Work Center to incorporate the clause in all cases except for 4 categories as mentioned under Para 90.5 of IMM Manual)</i></p> <p>In case Start-up bidder has successfully executed Purchase Order placed by ONGC/OIL/IOCL/HPCL/BPCL/GAIL for << items- to be mentioned by work centers, as mentioned in BEC clause B.1.2.(b)>> and the material supplied has been used in field satisfactorily, then such Start-up bidders will be considered meeting experience criteria as per BEC Clause B.1.2(a) and B.1.2(b). In this regard, bidder shall submit copy of purchase order/contract alongwith supporting document towards having used the material satisfactorily in the fields.</p> <p>The above relaxation is subject to submission of documents as mentioned at <i>Clause 10.1(x) of Annexure of MM/01 or 10.1 (w) of Annexure-1 of MM/02.</i></p>	New provision added.

