



PMC Cell – MM

## Oil and Natural Gas Corporation Ltd

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**Circular No. 30/2023 - cum-IMMM Amendment No. MM/108/2023, BL Amendment No. 01/148 and 02/119**

No: DLI/CORP-MM/POLICY/2023/13(29)/999745

Dated:30.10.2023

**Sub: Intimating the reasons for rejection of the bidder before opening the Price bids.**

While considering a representation, IEMs had opined that ONGC should follow similar methodology as being followed in GeM tenders regarding intimation of reasons for rejection to unsuccessful bidders and providing 48 hours window to bidder, whose offer has been rejected, to challenge their rejection.

Therefore, as advised by IEMs, in all non-GeM Tenders also, bidders whose bid have been rejected during techno-commercial evaluation, shall be informed about the reasons for rejection of their bid. Such bidders can review reason for rejection of their bid and raise a one-time representation to challenge rejection for any incorrect disqualification within 2 days of such intimation. Work centers will have to respond to all such representation before opening of price bids.

In view of above, relevant provisions of Integrated MM Manual stand modified as per Annexure-1 and Standard Tender/Contract Conditions for Procurement of Goods (ICB), Goods (NCB) and Services stand modified as per Annexure-2. Wherever applicable, suitable modifications should also be incorporated in tenders for Charter Hiring of Rigs and LSTK/Works tenders invited by concerned Work Centres.

Above guidelines should be meticulously followed by all concerned in all the future tenders including tenders where techno-commercial bids are yet to be opened.

  
(Sandeep Gupta)  
ED-Chief MM Services


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

Para Ref.	Existing provision	Proposed provision	Remarks
9.1.4	<p><u>After the short listing of techno-commercially acceptable bidders all such bidders will be notified (by fastest mode like fax/ company's official e-mail, if any indicated in the offer, followed by registered or speed post) of the date of opening of priced bids in public, allowing a period of not exceeding 2 working days, depending upon the urgency of requirement and location of bidders, so as to enable such bidders to participate in tender opening, if they so like.</u> In order to facilitate the bidders to know the details of other bidders short-listed for opening of price bids, besides mentioning the date, time and venue of the price bid opening, the names and particulars of all the bidders being invited to participate in the price bid opening should also be indicated in one common letter which should be addressed to all the bidders who have been short-listed for price bid opening. For this purpose, identified fax/ official e-mail of the firm indicated in the offer is to be used. The priced bids will be opened by Tender Opening Officers who are already detailed for opening of tenders as per provisions of para 12.24 of the Manual. For item/group-wise tenders, price bids should be sealed individually for items/groups and placed within the final price bid envelope submitted.</p>	<p><u>After techno-commercial evaluation, bidders, whose bid have been rejected, shall be informed about the reasons for rejection of their bid through official e-mail id mentioned in the bid. Such bidders can review reason for rejection of their bid and raise a one-time representation to challenge rejection for any incorrect disqualification within 2 days of such intimation. Work centers will have to respond to all such representation before opening of price bids.</u></p> <p><u>Techno-commercially acceptable bidders will be notified (by fastest mode like company's official e-mail, indicated in the offer) for the date of opening of priced bids in public, allowing a period of not exceeding 2 working days, depending upon the urgency of requirement and location of bidders, so as to enable such bidders to participate in tender opening, if they so like.</u> In order to facilitate the bidders to know the details of other bidders short-listed for opening of price bids, besides mentioning the date, time and venue of the price bid opening, the names and particulars of all the bidders being invited to participate in the price bid opening should also be indicated in one common letter which should be addressed to all the bidders who have been short-listed for price bid opening. For this purpose, identified fax/ official e-mail of the firm indicated in the offer is to be used. The priced bids will be opened by Tender Opening Officers who are already detailed for opening of tenders as per provisions of para 12.24 of the Manual. For item/group-wise tenders, price bids should be sealed individually for items/groups and placed within the final price bid envelope submitted.</p>	<p>Underlined portion added.</p> <p>Underlined portion of the existing provision modified.</p>





**Existing vis-à-vis modified provisions of Standard Booklet No. ONGC/MM/01, ONGC/MM/02  
and Standard tender conditions for Service contracts**

Clause Ref.	Existing provision	Modified provision	Remarks
Clause 32.4 of Standard Tender Booklet MM/01, Clause 30.4 of Standard tender Booklet MM/02, Clause 23.3 of Standard tender booklet for Service Contracts	New Provision	<u>Bidders whose bid have been rejected during techno-commercial evaluation, shall be informed about the reasons for rejection of their bid through official e-mail id mentioned in the bid. Such bidders can review reason for rejection of their bid and raise a one-time representation to challenge rejection for any incorrect disqualification within 2 days of such intimation.</u>	New Provision added.
Clause 50.0 of Standard Tender Booklet MM/01, Clause 46 of Standard tender Booklet MM/02, Clause 38.0 of Standard tender booklet for Service Contracts	<u>REPRESENTATION FROM THE BIDDER:</u>  The bidder(s) can submit representation(s) if any, in connection with the processing of the tender <u>[including seeking the reasons for rejection of their bid(s)]</u> directly only to the Competent Purchase Authority (CPA) i.e. to _____ _____ (name, designation and address of the CPA in the tender to be mentioned by the concerned Work Centre).	<u>REPRESENTATION FROM THE BIDDER:</u>  The bidder(s) can submit representation(s) if any, in connection with the processing of the tender directly only to the Competent Purchase Authority (CPA) i.e. to _____ _____ (name, designation and address of the CPA in the tender to be mentioned by the concerned Work Centre).	Underlined portion in existing clause deleted.

