



PMC Cell – MM

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Corporate Materials Management

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Circular No. 14/2015-cum-IMMM Amendment No. MM/03/2015-cum-BL Amendment No.
BL/01/89, 02/69 and 03/33

No: MAT/PMC/13(206)/2015

Dated: 15.04.2015

Sub: Consideration of representations submitted by the bidders to Independent External Monitors (IEMs).

EPC, in its meeting (07/2015) held on 23.02.2015, while deliberating upon the recommendations of IEMS with respect to considering representations submitted by the bidders to them, has directed that Work Centers should not themselves ignore the advice of IEMs that are recorded and submitted by the IEMs to the work centre on various issues. In the event any of the advice of IEMs cannot be accepted, the case should be put up to EPC for its approval by the Work Center with full justification for the same.

In addition to the above, following recommendations of the IEMs have also been agreed by the EPC:

- (i) IEMs would not consider any representation received after the oral submission has already been made by the representing bidder unless some addition documents or clarifications have specifically been sought by IEMs from the representing bidder.
- (ii) IEMs would consider only those representations on post contract issues wherein there is an alleged violation of provisions of IP.

In accordance with the above, relevant provisions of Integrated MM Manual and tender/contract conditions for procurement of goods and Services (including contract conditions for Charter hire of rigs) stand modified as per Appendix-1 and 2 respectively. All concerned are requested to carry out similar modifications in the tender/contract conditions for LSTK and other contracts (including tender conditions for charter hire of rigs), where the provisions pertaining to appointment of IEM for Integrity Pact are applicable.

Above guidelines should be meticulously followed by all concerned.


(Anil Kumar Sachan)
ED-Chief MM Services

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Copy to:

1. EO to CMD, ONGC, Jeevan Bharti Building, New Delhi.
2. CEA to Director (Finance) / Director (T&FS) / Director (Offshore) / Director (HR) / Director (Onshore) / Director (Exploration), ONGC, Jeevan Bharti Building, New Delhi.
3. CVO, ONGC, Jeevan Bharti Building, New Delhi.

Statement Showing existing vis-à-vis modified provisions of Integrated MM Manual

Clause No.	Existing Provisions	Modified Provisions
16.14.1.6	No Provisions exist	Work Centers should not themselves ignore the advice of IEMs that are recorded and submitted by the IEMs to the work centre on various issues. In the event any of the advice of IEMs cannot be accepted, the case should be put up to EPC for its approval by the Work Center with full justification for the same.

Appendix-2

Statement showing existing vis-à-vis modified tender/contract conditions for procurement of goods and services (including Charter hire of rigs)

Clause No.	Existing Provisions	Modified Provisions	Remarks
52.2, 46.2 and 38.2 of BL/01, 02 and tender / contract conditions of Service Contracts at Annexure-I	<p>Raising Disputes / Complaints. (Applicable for all tenders valuing above Rs. 1 Crore where IP is applicable.)</p> <p>Curriculum Vitae of Independent External Monitors (IEMs) are placed permanently on the home page of ONGC's website www.tenders.ongc.co.in. The bidders may raise disputes / complaints, if any, either with the designated Competent Purchase Authority (CPA) in ONGC or with concerned Director of ONGC or directly with the IEM c/o Chief Vigilance Officer, ONGC, Jeevan Bharti, Tower-II, 124-Indira Chowk, Connaught Place, New Delhi-110 001."</p>	<p>Raising Disputes / Complaints. (Applicable for all tenders valuing above Rs. 1 Crore where IP is applicable.)</p> <p>Curriculum Vitae of Independent External Monitors (IEMs) are placed permanently on the home page of ONGC's website www.tenders.ongc.co.in. The bidders may raise disputes / complaints, if any, either with the designated Competent Purchase Authority (CPA) in ONGC or with concerned Director of ONGC or directly with the IEM c/o Chief Vigilance Officer, ONGC, Jeevan Bharti, Tower-II, 124-Indira Chowk, Connaught Place, New Delhi-110 001.</p> <p><u>Note:</u></p> <p>(i) <u>IEMs would not consider any representation received after the oral submission has already been made by the representing bidder unless some addition documents or clarifications have specifically been sought by IEMs from the representing bidder.</u></p> <p>(ii) <u>IEMs would consider only those representations on post contract issues wherein there is an alleged violation of provisions of IP.</u></p>	<p>Underlined portion added</p>
53, 43, 35.2 and 37 of BL/01, 02, 03 and tender / contract conditions of Service	<p>No Provisions exist</p>	<p>Consideration of representations on post contract issues submitted by the bidders to Independent External Monitors (IEMs) (Applicable for all tenders valuing above Rs. 1 Crore where IP is applicable.)</p> <p>The bidders may raise disputes / complaints, if any, either with the</p>	<p>New Provisions</p>

Clause No.	Existing Provisions	Modified Provisions	Remarks
Contracts at Annexure-II		<p>designated Competent Purchase Authority (CPA) in ONGC or with concerned Director of ONGC or directly with the IEM c/o Chief Vigilance Officer, ONGC, Jeevan Bharti, Tower-II, 124-Indira Chowk, Connaught Place, New Delhi-110 001.</p> <p>However, Bidders should note that IEMs would consider only those representations on post contract issues wherein there is an alleged violation of provisions of IP. Hence, bidders should not refer those post contract issues to IEMs for resolution, for which dispute resolution mechanism has already been defined in the contract conditions. The post contract issues pertaining to alleged violation of provisions of IP, if any, should only be referred to IEMs</p>	