



PMC Cell – MM

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Sub: Availability of Rigs/Vessels.

In one of the cases for hiring of vessels, while rendering opinion to a query of ONGC, AGI had opined that bidder has a right to offer a substitute vessel only from the vessel(s) which have been found technically acceptable before opening of the price bid.

In connection with the above opinion of AGI, EPC, in its meeting (30/2017) held on 20.12.2017 opined that as per the present practice across ONGC, substitution of vessel/rig with any new vessel/rig is allowed during bid validity extension at any point of time in tender processing i.e. whether the bid validity extension is sought before price bid opening or after price bid opening. If bidders are allowed to substitute the vessels only from the vessels found technically acceptable before price bid opening, then the purpose with which this clause as above was introduced would get defeated.

In view of the above, EPC felt that opinion of AGI given in the instant case may be taken as a precedent by other Work Centers while formulating BEC in the upcoming tenders which would create confusion. Hence, EPC directed that considering the intent and spirit of the substitution clause, the present practice being followed by ONGC, which allows bidders to substitute the vessel/rig while extending the bid validity with any new vessel/rig subject to its technical acceptability is a prudent approach and should be continued.

Above guidelines should be meticulously followed by all concerned.

(Ashwini Nagia)
ED-Chief MM Services

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