



PMC Cell – MM

Oil and Natural Gas Corporation Ltd

Corporate Materials Management

9th Floor, South Tower, SCOPE Minar,

Laxmi Nagar, Delhi -110 092

Tel – (011) 22406044 Fax – (011) 22446494

Circular No. 41/2016

No: MAT/PMC/13(108)/2016

Dated: 15.09.2016

Sub: Rejection of bids maintaining deviation even after clarifications on bids.

Reference is invited to provisions of BECs for procurement of Goods & Services on "Vital criteria for acceptance of bids", wherein at the end of first paragraph provision reads as "*Still, if exceptions /deviations are maintained in the bid, such conditional/ non-conforming bids shall not be considered and may be rejected outright.*"

With respect to the above provisions, it has been apprehended that said portion of the provision is satisfying only the first paragraph of the provisions and not the whole provisions including second paragraph, as it does not conclude with the aforesaid portion of the provision.

In order to remove ambiguity in the provision, if any, it has been decided to relocate the above portion of the provision as a separate paragraph at the end of the clause. Accordingly, relevant provisions of BECs for procurement of goods and services against IND/ICB tenders, stand modified as per enclosed Annexure-A.

Above guidelines should be meticulously followed by all concerned.

(Ashwini Nagia)
ED-Chief MM Services

Distribution: (Through ONGC's intranet website 'ongcreports.net').

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

Copy to:

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

Statement showing existing vis-à-vis modified provisions of standard BECs for procurement of goods and services.

Existing Provisions	Modified Provisions
<p><u>Services (ICB):</u></p> <p>Vital criteria for acceptance of bids:-</p> <p>Bidders are advised not to take any exception/deviations to the bid document. Exceptions/ deviations, if any, should be brought out during the Pre-bid conference. In case Pre-bid conference is not held, the exceptions/ deviations along with suggested changes are to be communicated to ONGC within the date specified in the NIT and bid document. ONGC after processing such suggestions may, through an addendum to the bid document, communicate to the bidders the changes in its bid document, if any. Still, if exceptions /deviations are maintained in the bid, such conditional/ non-conforming bids shall not be considered and may be rejected outright.</p> <p>However, During evaluation of bids, Purchaser may at its discretion ask the Bidder for clarifications/ confirmations/ deficient documents of its bid. The request for clarification and the response shall be in writing and no change in the price or substance of the bid shall be sought or permitted.</p> <p><u>Services (IND):</u></p> <p>Vital criteria for acceptance of bids:-</p> <p>Bidders are advised not to take any exception/deviations to the bid document. Exceptions/ deviations, if any, should be brought out during the Pre-bid conference. In case Pre-bid conference is not held, the exceptions/ deviations along with suggested changes are to be communicated to ONGC within the date specified in the NIT and bid document. ONGC after processing</p>	<p>Vital criteria for acceptance of bids:-</p> <p>Bidders are advised not to take any exception/deviations to the bid document. Exceptions/ deviations, if any, should be brought out during the Pre-bid conference. In case Pre-bid conference is not held, the exceptions/ deviations along with suggested changes are to be communicated to ONGC within the date specified in the NIT and bid document. ONGC after processing such suggestions may, through an addendum to the bid document, communicate to the bidders the changes in its bid document, if any.</p> <p>However, during evaluation of bids, ONGC may ask the bidder for clarifications/ confirmations/ deficient documents of its bid. The request for clarification and the response shall be in writing and no change in the price or substance of the bid shall be sought or is permitted. <u>If the bidder still maintains exceptions /deviations in the bid, such conditional/ non-conforming bids shall not be considered and may be rejected.</u></p>

Existing Provisions	Modified Provisions
<p>such suggestions may, through an addendum to the bid document, communicate to the bidders the changes in its bid document, if any. Still, if exceptions /deviations are maintained in the bid, such conditional/ non-conforming bids shall not be considered and may be rejected outright.</p> <p>However, During evaluation of bids, Purchaser may at its discretion ask the Bidder for clarifications/ confirmations/ deficient documents of its bid. The request for clarification and the response shall be in writing and no change in the price or substance of the bid shall be sought or permitted.</p>	
<p><u>Goods (IND/ICB):</u></p> <p>Vital criteria for acceptance of bids:- Bidders are advised not to take any exception/deviations to the bid document. Exceptions/ deviations, if any, should be brought out during the Pre-bid conference. In case Pre-bid conference is not held, the exceptions/ deviations along with suggested changes are to be communicated to ONGC within the date specified in the NIT and bid document. ONGC after processing such suggestions may, through an addendum to the bid document, communicate to the bidders the changes in its bid document, if any. Still, if exceptions /deviations are maintained in the bid, such conditional/ non-conforming bids shall not be considered and may be rejected outright.</p> <p>However, During evaluation of bids, Purchaser may at its discretion ask the Bidder for clarifications/ confirmations/ deficient documents of its bid. The request for clarification and the response shall be in writing and no change in the price or substance of the bid shall be sought or permitted.</p>	