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AMENDMENT NO. 12 DATED 20.11.2018

This Amendment against e-Tender No. CDG8102P19 for “Hiring of Cementing Services including 2 (two) numbers Cementing Units for a period of 3(three) years in the States of Assam & Arunachal Pradesh” is issued to incorporate the followings changes/amendments:

- AA. Bid Closing Date and Time is Extended upto : 06.12.2018 (11:00 Hrs. IST)**
- Bid Opening Date and Time is Extended upto : 06.12.2018(14:00 Hrs. IST)**
- Last date of Tender Fee Payment/Tender Purchase is Extended upto : 29.11.2018(15:30 Hrs. IST)**
- BB.** Certain changes are made in the Tender (Indicated in the Enclosure A).
- CC.** All other Terms and Conditions of the Tender/Bid Document (Considering all previous Amendments/Addendums, if any) will remain unchanged.

Sl.	Tender Clause No.	Tender Clause Description	Amended Clauses
1	<p><u>Part -2</u> <u>Bid Evaluation</u> <u>Criteria (BEC)</u></p> <p><u>Clause No. 7.2</u></p>	<p><u>In case Bid is submitted on the basis of the Technical Experience of Sister Subsidiary/Co-Subsidiary Company:</u> Offers of those bidders who themselves do not meet the technical experience criteria stipulated in A.1.0 above can also be considered based on the experience of their Sister Subsidiary/Co-Subsidiary company within the ultimate parent/holding company subject to meeting the following conditions:</p> <p>(a) Provided that the sister subsidiary/co-subsidiary company and the bidding company are both directly owned 100% subsidiaries of an ultimate parent/holding company.</p> <p>(b) Provided that the sister subsidiary/co-subsidiary company on its own meets the technical experience criteria laid down in Clause A.1.0 above and not through any other arrangement like technical collaboration etc.</p> <p>(c) Provided that with a view to ensure commitment and involvement of the ultimate parent/holding company for successful execution of the contract, the participating bidder must submit an agreement, as per format furnished, between them, their ultimate parent/holding company, along with the technical bid.</p>	<p><u>In case Bid is submitted on the basis of the Technical Experience of Sister Subsidiary/Co-Subsidiary Company:</u> Offers of those bidders who themselves do not meet the technical experience criteria stipulated in A.1.0 above can also be considered based on the experience of their Sister Subsidiary/Co-Subsidiary company within the ultimate parent/holding company subject to meeting the following conditions:</p> <p>(a) Provided that the sister subsidiary/co-subsidiary company and the bidding company are both either directly owned 100% subsidiaries of an ultimate parent/holding company or 100% owned through intermediate 100% subsidiaries of an ultimate parent/holding company. The Bidder must submit duly notarized valid document(s) establishing the legal relation amongst sister/co-subsidiary, bidder and the ultimate Parent Company to the full satisfaction of the Company with detail share holding pattern. The Company reserves the right to reject a bid if the documents are not found sufficient or satisfactory or proper to establish the required criteria of 100% subsidiary.</p> <p>(b) Provided that the sister subsidiary/co-subsidiary company on its own meets the technical experience criteria laid down in Clause A.1.0 above</p>

			<p>and not through any other arrangement like technical collaboration etc.</p> <p>(c) Provided that with a view to ensure commitment and involvement of the ultimate parent/holding company for successful execution of the contract, the participating bidder must submit an agreement, as per format furnished, between them, their ultimate parent/holding company, along with the technical bid.</p>
2	<p><u>Part -2</u> <u>Bid Evaluation</u> <u>Criteria (BEC)</u> <u>Clause No. 7.A</u></p>	<p>New Clause</p>	<p>In both the situations mentioned in 7.0 and 7.1 above, following conditions are required to be fulfilled/documents to be submitted:</p> <p>(i) Undertaking by ultimate parent to provide a Performance Security (as per format enclosed as Appendix II), equivalent to 50% of the value of the Performance Security which is to be submitted by the bidding company, in case the supported bidding company is the successful bidder. In cases where foreign based ultimate parent does not have Permanent Establishment in India, the bidding company can furnish Performance Security for an amount which is sum of Performance Security amount to be submitted by the bidder and additional 50% Performance Security amount required to be submitted by the ultimate parent. In such case bidding company shall furnish an undertaking that their foreign based ultimate parent is not having any Permanent Establishment in India in terms of Income Tax Act of India.</p>

			<p>(ii) Undertaking from the ultimate parent to the effect that in addition to invoking the Performance Security submitted by the contractor, the Performance Security provided by ultimate parent shall be invoked by OIL due to non-performance of the contractor.</p> <p>Note: In case ultimate parent fails to submit Performance Bank Guarantee as per (i) above, Bid Security submitted by the bidder shall be forfeited.</p>
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