



## **DIRECTORATE GENERAL OF HYDROCARBONS**

### **MINISTRY OF PETROLEUM AND NATURAL GAS, GOVERNMENT OF INDIA**

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### **NOTICE INVITING OFFER (NIO)**

#### **NOTICE INVITING OFFERS FOR EMPANELMENT OF AGENCIES TO INDEPENDENTLY CARRY OUT AUCTIONS THROUGH ELECTRONIC PLATFORM FOR THE PRICE DISCOVERY OF NATURAL GAS PRODUCED IN INDIA**

**Last date of submission of offer: 1400 Hours (IST) of 10.11.2020 (Tuesday)**

#### **A. INTRODUCTION**

Directorate General of Hydrocarbons (DGH) is an upstream advisory and technical arm under the administrative control of the Ministry of Petroleum & Natural Gas (MoPNG), Government of India, and was set up to promote sound management of petroleum and natural gas resources in the country.

In order to facilitate the discovery of market price for natural gas in a transparent and fair manner through a competitive bidding mechanism, DGH intends to empanel credible and qualified agencies/bidders to independently carry out auctions (hereinafter referred to as "e-auction") for the discovery of fair market price of natural gas produced in India through electronic auction (or e-auction) platforms. The qualified and selected bidder shall be empanelled by DGH for a minimum period of three years.

The producers of natural gas in India (hereinafter referred to as "sellers") shall engage any one of the empanelled agencies for price discovery as per their business requirements. All the requisite technical and contractual information related to the process for discovery of market price of natural gas shall be provided by the seller. The bidder shall be required to independently carry out e-auction as per the specifics of the sale process and in accordance with the relevant guidelines issued by Government of India.

## **B. GUIDELINES FOR AUCTION OF NATURAL GAS**

The bidder shall be required to conduct e-auction on electronic platform in a fair, transparent and competitive manner, based on established good practices and following the guidelines to be notified in this regard by the Ministry of Petroleum and Natural Gas, Government of India.

## **C. SCOPE OF WORK:**

The scope of work for bidder shall include but not limited to the following:

### 1. General

- a. The bidder shall design, structure and implement the overall process of e-auction for the discovery of market price for natural gas produced in India while ensuring a transparent, fair and competitive process, in conformance with the relevant guidelines issued by Government of India.
- b. The bidder shall develop an optimum e-auction plan in consultation with the seller, while ensuring adequate safeguards against potential distortion of competition and transparency.
- c. The bidder shall document the entire process of e-auction and provide all services incidental to the conduct of successful e-auction i.e. till the completion of the process and selection of the successful buyer(s) in the e-auction(s).

### 2. E-auction platform or e-bidding portal

- a. The bidder should have an integrated, time-tested, secured and robust e-auction platform. The security standards of the software solution used for e-bidding should be compliant with guidelines notified by Ministry of Electronics and Information Technology (MeitY). The software should be compatible with Public Key Infrastructure (PKI) transaction certificate to ensure secure and authenticated access and transactions which are in conformity with the Information Technology (IT) Act 2000 and any further relevant amendments issued by the Government of India (GoI).
- b. The said platform should offer a superior level of security with Secure Socket Layer (SSL) encryption, strong authentication with digital certificates and high speed to conduct real time bidding over the Internet. The platform should support creation of role based administrative hierarchy, using adequately secured passwords with digital signatures.
- c. The platform must be web-based and requires no significant modification or installation of significant desktop components to participate in the e-auction process by the prospective users. All the technical pre-requisites needed for

participating in the e-auction process through its e-auction platform should be explicitly listed or made available by the bidder and the instructions to comply with those pre-requisites should be properly communicated to the buyers. The same should be easily compliable by the prospective buyers at their end.

- d. The e-auction platform should be compatible with at least two (2) leading web browsers.
- e. The e-auction platform must provide accurate information to buyers regarding the terms and conditions of e-auction. The e-auction process on the platform should be seamless and free from any technical glitches.
- f. All data, information, documents, etc., received over the bidding portal shall reside within Indian geography and jurisdiction.
- g. The e-auction platform should have a defined back up policy and business continuity plan in case of any disaster or technical mishap.
- h. The bidder's e-auction platform should be duly compliant with standards prescribed by MeITY and STQC during the tenure of the empanelment.
- i. The e-auction platform must be secure from various kinds of virus attacks, malware and hackers, etc. The Portal Architecture Design should incorporate security features to protect from SQL injection, Session Hijacking, Cross scripting, Denial of Service, etc.
- j. The e-auction system should maintain a secure Password policy. The e-auction system should be secured by using Intrusion Detection System (IDS) and Intrusion Prevention System (IPS) at network level. The e-auction platform must have necessary firewall for intrusion detection and prevention.
- k. The bidder shall be fully responsible for resolution of any issue or problem reported in the e-auction platform infrastructure. The bidder shall rectify the problem and ensure the normalcy of bidding process at the earliest.
- l. The e-auction platform should be available online on a 24x7x365 basis and should be accessible from anywhere over public internet with uptime of 99.9 % excluding pre-announced scheduled maintenance activities.
- m. The e-auction platform should ensure confidentiality and data security by incorporating the Digital Signature Certificate (DSC) Class 3 so that only authorized personnel are registered and have access to the platform. The e-auction platform should prepare a log of all the activities and modifications in the auction process to maintain a robust audit trail.

- n. The bidder (or e-auction platform service provider in case of a consortium) should have its own domain and the e-auction platform should be owned by the bidder.

### 3. Pre-auction

- a. The bidder shall carry out requirement analysis with respect to processes and requirements of the sellers auctioning natural gas. The bidder shall configure the e-auction platform suitably for demonstrating the seller's technical and functional requirements. The bidder shall develop the requisite algorithms to adequately allocate the quantities as per the criteria laid out by the seller and price discovery process to be undertaken by the bidder. The bidder shall adequately modify the allocation methodology as per the seller's instructions and discretion. The e-auction process should be able to identify the highest prices and the corresponding quoted quantities by the prospective buyers. The bidder shall modify and customize the bidding portal and make it ready for use as per the requirement of the seller.
- b. Once the e-auction platform is configured and provisioned as per seller's requirements, the bidder shall conduct comprehensive testing of the platform including system, functional load and security, etc. The Test Management System in respect of e-auction should be demonstrated by the bidder to the seller for acceptance before going live for the actual e-auction.
- c. The e-auction platform shall facilitate electronic payment through web towards the Bidder Registration, tender fees, earnest money and security money etc. with all requisite security standards in place. The online platform must be integrated with the payment gateway and the bidder should be able to pay the Earnest Money Deposit (EMD) and document fees online. Also, it should have a provision to get EMD automatically refunded via NEFT to his/her account for the unsuccessful buyers.
- d. The bidder shall provide secure registration facility to prospective buyers through authenticated login and password along with secure and encrypted DSC Class 3 issued by a certifying authority in India or any other latest technology complying with Govt. of India IT Act-2000.
- e. The bidder shall facilitate procurement of DSC for buyers (if required by the buyer). Bidder shall not charge any fee for this facilitation from the buyer. Buyer will bear the statutory charges towards the DSC procurement cost.
- f. The bidder shall upload all bid related documents and other necessary information on the e-bidding portal. All the bid parameters including evaluation criteria and related technical and contractual information shall be provided by the seller to the bidder.

#### 4. Publishing of the Tender

- a. The bidder shall publish the tender on its website at a pre-determined date in consultation with the seller. All the bid related documents and other related information shall be accessible to all the prospective buyers after successful registration on the bidding portal. The bidder shall host all information as provided by the seller including but not limited to following:
- i) Salient features of Gas Sales Agreement
  - ii) Production Profile
  - iii) All Delivery Points
  - iv) Firm quantity on offer along with the time slots for delivery
  - v) Take or Pay obligations
  - vi) Variable/optional quantity offered along with slots for delivery
  - vii) Composition of natural gas
  - viii) Pre-Qualification Criteria for buyers
  - ix) Any other relevant information provided by seller

Additionally, the terms and conditions of contract, inter alia, shall be hosted including but not limited to following:

- i) Payment terms
  - ii) Penalties for default on either side
  - iii) Bank Guarantees
  - iv) Delivery schedules
- b. The bidder shall ensure that the link to its e-auction portal shall be hosted on DGH website under the caption 'Notice inviting bids for sale of Natural Gas'.
- c. Link for all notices inviting offers will be compulsorily provided on DGH website. The link provided on DGH website shall redirect users to the tender hosted on the bidder's e-portal.
- d. The bidder shall follow a suitable mechanism via email/any other means to notify the seller and registered buyers regarding various timelines, submissions, queries, etc.
- e. The bidder shall provide suitable provision to upload and download documents by the prospective buyers on the e-bidding portal.
- f. The bidder shall provide at least 30 days to submit bids after publishing of the tender on bidder's website (and hosting the link on DGH website).
- g. The bidder shall provide provision for submission of bid related queries by the prospective buyers. The bidder shall provide a last cut-off date to submit queries on its e-bidding platform as intimated by the seller. The bidder shall collate and send all queries to the seller.

- h. The bidder shall host responses to queries on the e-auction portal as provided by seller. The bidder shall suitably notify all the qualified buyers regarding the responses.

#### 5. Training of the Technically Qualified Buyers

- a. The bidder shall provide the requisite training through an adequate medium to the qualified buyers to facilitate their participation in the bidding process through the e-auction portal. The primary objective of the training process is to acquaint prospective buyers with the functioning and manoeuvring of the e-auction platform so that they are effectively and independently able to participate in the live auction process. The bidder shall circulate adequate training manuals covering detailed guidelines and procedure to participate in the e-auction process. All terms and conditions related to the bidding process should be explicitly mentioned. A dedicated Technical Assistance /Help Desk Team of the bidder should be available before and during the bidding process to resolve any portal related queries.

#### 6. Going Live with the E-Auction

- a. The bidder shall roll out and go live with the e-auction process on the pre-determined date. Only the qualified buyers shall be able to participate in the auction process in real time.
- b. The portal should facilitate submission of entries against various bid parameters like price, volume, tenure etc. The bid parameters shall be intimated to the bidder by the seller as per the specifics of the sale process.
- c. The market price discovery process shall be undertaken by participation from all the qualified buyers through healthy and fair competition and technology enabled online bidding process in a transparent manner.
- d. The e-auction platform shall lock the final bid entries as per the e-auction timeline.

#### 7. Post e-auction

- a. The natural gas volumes/quantity shall be allocated based on pre-defined criteria and mechanism.
- b. A comprehensive bid submission summary shall be prepared and shared with the seller and all the participating buyers.
- c. A recommendation report suggesting the successful buyers and the allocated quantities/ prices validated by the bidder shall be submitted.

- d. Bid submission summary and information regarding the final agreement reached and duration of the contract between the buyer and seller shall be hosted on the seller's website under intimation to DGH.

The bidder shall perform all such work and/or provision all such items, services not specifically mentioned in the scope of work above but that can be reasonably inferred as being required for successfully completing requirements of online bidding process as if such work and/or items were expressly mentioned in the Scope of work.

The bidder shall provide all required tools and resources which may not be specifically stated herein but may be required to meet the intent of ensuring completeness, maintainability and reliability of the online bidding system covered under this specification.

The bidder shall designate a single point of contact (nominated representative of lead partner in case of a bidding consortium) with whom DGH will communicate for any activity pertaining to the online bidding system of the concerned bidder.

**Last date of submission of offer: 1400 Hours (IST) of 10.11.2020 (Tuesday)**

#### **D. PRE-QUALIFICATION CRITERIA (PQC):**

The bidding process will consist of two stages, Pre-qualification/Eligibility followed by Technical Evaluation.

The prospective bidders shall be required to meet all the following PQCs to participate in this NIO:

1. Any company legally registered in India can participate in this NIO solely or in consortium with an e-auction platform service provider, referred to as "bidder" in this NIO. In case of bidding consortium, maximum of two (2) members are allowed to form a consortium and their bid shall clearly indicate the lead partner.
2. The bidder should be a legal entity registered in India. In case the bidder is a consortium, both its members should be legal entities registered in India.

In respect of the above, the bidder should submit the following documents:

- a) Copy of Certificate of Incorporation/ Registration under Companies Act, 1956/ 2013 or any equivalent, as applicable.
  - b) Memorandum and Articles of Association.
  - c) GST Registration certificate or equivalent certificate.
3. If the bidder is a consortium, a memorandum of understanding / consortium agreement executed between the members of consortium shall be submitted clearly

stating that the e-auction platform service provider will provide the necessary services and support required for execution of the scope of work as defined in the NIO document and both the members of the consortium shall be jointly and severally responsible for conducting e-auction as per the requirement of this NIO.

4. The bidder (either Individually or combined in case of a consortium) should have experience of conducting e-auctions for any of the commodities like coal, electricity, oil and gas, minerals, ores; stores, machinery, equipment, etc. and/or rights/ licenses like spectrum, or other concession rights and advertising rights, etc. in the last 5 years (reckoned as on 31<sup>st</sup> March 2020) through e-auction platform.

In respect of the above, the bidder should submit the following:

- a) Copies of respective Work Order or Letter of Award for the e-auction undertaken by it;

And

- b) Documentary evidence in respect of satisfactory execution of each of these e-auction from the hiring entity, in the form of copies of any of the documents (indicating respective contract number and type of services), such as Satisfactory Completion / Performance Report (OR) any other documentary evidence that can substantiate the satisfactory execution of each of the contracts cited above.

5. The bidder should have the capability of hosting and managing the entire e-auction (on its own or through its e-auction platform service provider) through Central Government/State Government/PSU owned data centre cloud hosted on the servers located in India or through MeITY empanelled Cloud Service Providers (CSP).

In respect of above, the bidder should provide any documentary evidence in support of the same.

6. The bidder (or the e-auction platform service provider, in case the bidder is a consortium) should have the necessary credentials to fulfil the eligibility criteria mentioned under **Clauses D-7** and **D-8** below:
7. The security standard of software solution to be used for e-bidding shall be duly compliant with standards prescribed by MeITY and STQC (Guidelines for Compliance to Quality requirements of eProcurement systems dated 31.08.2011 notified by STQC Directorate, MeITY).

In respect of the above, the bidder needs to provide suitable documentary evidence of compliance of the standard prescribed MeITY and STQC.

8. The bidder should be ISO 27001 certified.



In respect of the above, the bidder needs to provide the requisite Certificate.

9. The average annual turnover of the bidder (either individually or combined in case of a consortium) in the **last three (3) Financial Years (2017-18, 2018-19 and 2019-20)** should be at least **INR 100 Crore**.

In respect of above, the bidder should submit Audited Annual Financial Statements of the relevant financial years.

10. The average annual value of all e-auctions conducted by the bidder (either individually or combined in case of a consortium) in the **last 3 Financial Years (2017-18, 2018-19 and 2019-20)** should be at least **INR 1500 Crore**.

In respect of above, the bidder should submit certificate from the respective hiring entity evidencing the value of e-auctions (along with the price and quantity allocated wherever applicable) or provide any other documentation which clearly evidences and testifies the same.

11. As on date of the submission of the proposal, the bidder should not be blacklisted or debarred by Central/ State Government/ PSU in India.

In respect of above, the bidder shall provide an undertaking from the authorized signatory.

All the information/ documents submitted by bidder shall duly be signed by the authorized signatory of the bidder.

**E. METHODOLOGY OF SHORT-LISTING AND SELECTION FOR EMPANELMENT:**

The bid shall be evaluated solely based on technical competency of the bidder (either individually or combined in case of a consortium) and the robustness of its e-auction platform. The bidders will be evaluated based on Quality Based Selection Methodology as indicated in the matrix for technical evaluation given below:

<b>MATRIX FOR TECHNICAL EVALUATION</b>					
<b>No.</b>	<b>Criteria</b>	<b>Maximum Marks</b>	<b>Awarded Percentage of Maximum Marks</b>		
			<b>100%</b>	<b>80%</b>	<b>60%</b>
<b>1</b>	<b>Experience of the Bidder:</b> Bidder’s experience in carrying out e-auctions of commodity, services or rights in India through e-auction platform in a transparent, fair and competitive manner.	<b>45</b>			
<b>1.a</b>	Total number of e-auctions of commodities like coal, electricity, oil and gas, minerals,	<b>20</b>	<b>More than 50 number</b>	<b>between 21 and 50</b>	<b>Between 10 and 20</b>

<b>MATRIX FOR TECHNICAL EVALUATION</b>					
<b>No.</b>	<b>Criteria</b>	<b>Maximum Marks</b>	<b>Awarded Percentage of Maximum Marks</b>		
			<b>100%</b>	<b>80%</b>	<b>60%</b>
	<p>ores; stores, machinery, equipment, etc. and/or rights/ licenses like spectrum or other concession rights and advertising rights, etc. in India in last 3 Financial Years (i.e. 2017-18 to 2019-20) through e-auction platform undertaken by the bidder.</p> <p><b>Note:</b> In respect of 1.a, Bidder should submit the following</p> <p>(a) copies of respective Letter of Award/Work orders,</p> <p style="text-align: center;"><b>and</b></p> <p>(b) documentary evidence in respect of satisfactory execution of each of those contracts, in the form of copies of any of the documents (indicating respective contract number and type of services), such as - (i) Satisfactory Completion / Performance Report (OR) (ii) proof of release of Performance Security after completion of the contract (OR) (iii) proof of settlement / release of final payment against the contract (OR) (iv) any other documentary evidence that can substantiate the satisfactory execution of each of the contracts cited above.</p> <p>(c) Value of each e-auction should be at least <b>INR 50 Cr</b> to be considered for marking.</p> <p>(d) NIL marks for <b>less than 10 number of auctions.</b></p>		<b>of auctions</b>	<b>number of auctions</b>	<b>number of auctions</b>
<b>1.b</b>	The average annual combined value of all commodities like coal, electricity, oil and gas, minerals, ores; stores, machinery, equipment, etc. and/or rights/ licenses like spectrum, or other concession rights and advertising	<b>25</b>	<b>More than 5000 Crore (INR)</b>	<b>2501 to 5000 Crore (INR)</b>	<b>1500 to 2500 Crore (INR)</b>

<b>MATRIX FOR TECHNICAL EVALUATION</b>					
<b>No.</b>	<b>Criteria</b>	<b>Maximum Marks</b>	<b>Awarded Percentage of Maximum Marks</b>		
			<b>100%</b>	<b>80%</b>	<b>60%</b>
	rights, etc. auctioned in the last 3 Financial years (from 2017-18 to 2019-20) in India.  <b>Note:</b> In respect of 1.b, Bidder should submit the following (a) copies of respective letter of award/work orders, <b>and</b> (b) certificate from the respective hiring entities evidencing the value of e-auctions along with the price and quantity allocated in the e-auction or provide other documentation which clearly evidences and testifies the same.				
<b>2</b>	<b>Financial Strength of the Bidder</b>	<b>20</b>			
<b>2.a</b>	Average annual turnover of the bidder in the last 3 Financial Years (2017-18 to 2019-20) <b>Note:</b> - In respect of 2.a, Bidder should submit the following (a) Audited Annual Financial Statements of last 3 Years	<b>20</b>	<b>More than 500 Cr (INR)</b>	<b>201 to 500 Cr (INR)</b>	<b>100 Cr to 200 Cr (INR)</b>
<b>3</b>	<b>Technical Features of the E-Auction Portal</b>	<b>10</b>			
<b>3.a</b>	Bidder will have to furnish the following: i) Proof of availability of skilled and trained professionals with appropriate qualifications and certification in the organization ii) Organization's plan for availability of business continuity and disaster recovery plan  Tender Evaluation Committee (TEC) shall assign marks for each of above points based on documents provided.	<b>10</b>	5 marks shall be awarded for meeting each criterion		
<b>4</b>	<b>Technical Presentation on the key features of the e-bidding platform, broad approach and methodology to undertake the price discovery process.</b>	<b>25</b>			

<b>MATRIX FOR TECHNICAL EVALUATION</b>					
<b>No.</b>	<b>Criteria</b>	<b>Maximum Marks</b>	<b>Awarded Percentage of Maximum Marks</b>		
			<b>100%</b>	<b>80%</b>	<b>60%</b>
	The presentation should capture the following key technical and procedural aspects as laid out in below evaluation points:				
<b>4.a</b>	<p>Presentation showcasing the following aspects by the bidder:</p> <ul style="list-style-type: none"> <li>○ Details of the security standards of the software solution used for e-bidding</li> <li>○ Security and encryption features including the authenticated login, password, Digital Signature Certificate (DSC), etc.</li> <li>○ Robustness of the platform in the form of hosting large number of tenders simultaneously, large number of participants in a single tender, peak traffic, Reverse Auction Facility, etc.</li> <li>○ Detailed Instruction Manual available to guide prospective bidders about the e-bidding portal</li> <li>○ Availability of Technical Assistance/Help Desk to resolve bidding related queries</li> <li>○ Only registered users are allowed access</li> <li>○ Information about forthcoming events by e-mail to bidders</li> <li>○ Bidding in accordance with EMD only</li> <li>○ Decision making process in-built in the system as per the auction rules</li> <li>○ Bidder's identity remains undisclosed</li> <li>○ Bidders allowed participation in accordance with their eligibility/caps</li> <li>○ Feature to encourage/ensure high bidding activity</li> <li>○ Audit trail captured on tamper-proof medium</li> </ul>	<b>15</b>			The Tender Evaluation Committee (TEC)* shall award marks based on the presentation made and the aspects covered and addressed to the satisfaction of the committee members.
<b>4.b</b>	The bidder would need to give a brief demo of its e-auction/e-bidding portal by taking the committee members through the entire cycle of tendering process starting from	<b>10</b>			The Tender Evaluation Committee (TEC) shall award marks based on the demo of the e-bidding portal

<b>MATRIX FOR TECHNICAL EVALUATION</b>					
<b>No.</b>	<b>Criteria</b>	<b>Maximum Marks</b>	<b>Awarded Percentage of Maximum Marks</b>		
			<b>100%</b>	<b>80%</b>	<b>60%</b>
	online launch of tender, publishing of queries, online bid submission by the bidders, online bid opening, uploading of bid evaluation results and publication of award of Contract, etc.		presented to the satisfaction of the committee members.		
	<b>Total</b>	<b>100</b>			

**Note:**

- a) The Tender Evaluation Committee shall be duly constituted by the competent authority.
- b) Documents furnished with the original offer will be given cognizance. No subsequent submissions /clarifications will be permitted and entertained for reviewing the ranking. Submitted documents against evaluation parameter should be devoid of any sort of ambiguity and firmly establish the bidder having completed the contracts successfully, establish the turnover, and establish the availability of requisite technical parameters.
- c) A separate list covering the brief description of contracts, its value & awarding agency and reference of supporting documents submitted with the offer is to be submitted along with the offer.
- d) Bidders who score more than 70 marks in the above technical evaluation shall be short-listed for undertaking the final selection of agencies for empanelment. Depending on the number of bidders shortlisted for final selection, DGH shall select up to top five (05) bidders for empanelment based on their score among the bidders shortlisted for final selection. The successfully empanelled bidders shall be intimated through e-mail and their name(s) shall be duly notified by DGH/ MoPNG. The functions and responsibilities of the Bidder as specified in this NIO read with the guidelines issued by MoPNG shall be effective from the date of such notification. The empanelled agencies will have to submit acceptance of the terms and conditions of empanelment within 72 hours of being notified by e-mail of their empanelment.

**Last date of submission of offer: 1400 Hours (IST) of 10.11.2020 (Tuesday)**

**F. DURATION OF EMPANELMENT:**

- 1) The agencies will be empanelled for an initial period of three (03) years from the date of notification of empanelment unless removed earlier due to non-performance. The Seller shall engage one among the empanelled agencies for e-auction/ price discovery of natural gas produced in the country.

- 2) Open window for future empanelment: The window for empanelling new agencies may be reopened after one year. The window for re-empanelment of agencies may be opened after two years.
- 3) Fees and Payments: Payment to an empanelled agency is to be made by Seller of Natural Gas. Fees/service charges against conducting the e-bidding process and other assignments as per scope of work shall be fixed through a separate arrangement between the empanelled agency engaged and Seller of Natural Gas.

#### **G. RIGHTS AND REGULATORY CONDITIONS/REQUIREMENTS**

- 1) DGH reserves the right to accept or reject any offer without assigning any reason.
- 2) The performance of the empanelled agency(ies) will be monitored and reviewed periodically by an independent oversight mechanism. Complaints/grievances by the seller or buyers, if any, against any of these agencies, will be routed through this mechanism, to be separately notified for the purpose. An agency may be liable to be temporarily / permanently de-empanelled, if so, determined through the aforesaid mechanism for non-performance.
- 3) DGH reserves the right to get the empanelled agency(ies) audited by an auditor/third party or any regulatory authority in connection with the e-auction services provided. The empanelled agency(ies) shall, whenever required by the auditors/third party/regulatory, furnish all relevant information, records/data to them. Where any deficiency has been observed during such audit, the empanelled agency(ies) shall correct/resolve the same at the earliest and shall provide all necessary documents related to resolution thereof.
- 4) DGH reserves the right to modify terms and conditions of the empanelment or cancel the empanelment, or to cancel or suspend the e-auction by the empanelled agency at any time, if in the opinion of the DGH, it is necessary or expedient to do so in public interest or interest of the security of the State or for proper conduct of the e-auction. The decision of DGH shall be final and binding in this regard.
- 5) The empanelled agency(ies) will work on the guidelines prescribed from time to time by Ministry of Petroleum and Natural Gas.
- 6) For interpretation of any clause of this NIO, the decision of DGH would be final and binding on the Bidder.
- 7) The empanelled bidder (solely or both members in case of consortium) would be jointly and severally responsible for conducting e-auction for discovery of price for natural gas produced in India.

## **H. DATA CONFIDENTIALITY**

- 1) The company shall take adequate and timely measures to ensure that information provided through it as part of the e-auction processes conducted for the sellers shall be kept confidential, secured and protected.
- 2) The company shall ensure that adequate safeguards are built into the e-auction system.

## **I. CONFLICT OF INTEREST**

- 1) The bidder (including their personnel and sub-consultants) or any of their affiliates shall not receive any remuneration from the seller engaging it, in connection with the services mentioned in this NIO except provided in the contract between the and seller.
- 2) The bidder (including their personnel and sub-consultants) or any of their affiliates shall not engage in any activity that conflict with the interest under this empanelment or that may place them in a position of being unable to carry out the auctions in an independent manner.
- 3) The bidder shall provide professional, objective and impartial advice/ service at all times and hold the auction process in an independent, transparent and fair manner and in providing such services avoid conflict with any other assignment/ work and their own corporate interests.
- 4) Bidders are required to provide an undertaking for declaration regarding any conflicting activities as per the above conditions for conflict of Interest.

## **J. GENERAL NOTES:**

- 1) Interested bidders must clearly write the NIO number and Description on their offer.
- 2) Bids received after the deadline for submission of bid through email (**1400 Hrs of 10.11.2020**) shall be summarily rejected.
- 3) All documents submitted with the offer must be self-certified by authorized representative of the bidder. However, DGH reserves the right to verify the original documents.
- 4) Bidders shall submit the Power of Attorney or authorization, or any other document consisting of adequate proof of the ability of the signatory to bind the bidder, in original, when the power of attorney is a special Power of Attorney relating to NIO. A notarized true copy of the Power of Attorney shall also be accepted in lieu of the original, if the power of attorney is a general Power of Attorney.

- 5) The offer is liable to be rejected in case of submission of any misleading/false representation by the bidder in the form of statements and attachments.
- 6) In case any misleading/false declaration by bidder is found during the tenure of the empanelment, the agency shall be liable to be temporarily / permanently de-empanelled.
- 7) No bidder (including member of consortium) can submit more than one bid.
- 8) Bidders must submit an undertaking accepting that if they modify or withdraw their offer during the period of validity of offer, fail to provide their acceptance to notification for empanelment within 72 hours from notification, or for any other non-performance during tenure of empanelment, they will be suspended permanently or for a period to be decided from being eligible to submit their bids for any future contracts with DGH/MoPNG.
- 9) DGH reserves the right to (a) accept or reject any / all offers submitted by parties (b) cancel the process at any time without any liability and assigning any reason thereof.
- 10) This NIO shall be governed by and construed in accordance with the laws of India for the time being in force and shall be subject to the exclusive jurisdiction of Courts situated in the National Capital Territory of Delhi.
- 11) No bid security or bank guarantee is required to be submitted along with the offer.
- 12) For clarifications, if any, the interested party may contact at the following email address:  
[mm@dghindia.gov.in](mailto:mm@dghindia.gov.in)

#### **K. PRE-BID MEETING:**

A pre-bid meeting was held on 15.10.2020 (Thursday) at 15:00 Hrs (IST) through virtual mode. Response to bidders' queries has been uploaded on the website of DGH. Any further change in NIO shall be notified through the website of DGH only.

#### **L. VALIDITY OF OFFER:**

Offer shall be valid for **90 days** from the last date of submission of offer. In exceptional circumstances, DGH may solicit the Bidders' consent to an extension of the period of validity of offer. The request and the responses thereto shall be made in writing. A Bidder is free to refuse the request. However, any extension of validity of offer will not entitle the Bidder to revise/modify the offer.

#### **M. LAST DATE OF SUBMISSION OF OFFER:**

The deadline for submission of offer is up to **1400 Hrs (IST) of 10.11.2020 (Tuesday)**.



## **N. SUBMISSION OF OFFER:**

Interested bidders meeting the Pre-qualification criteria as above are invited to submit their offer(s) at e-mail id: [dghbid@dghindia.gov.in](mailto:dghbid@dghindia.gov.in) (copy to: [mmenquiry@dghindia.gov.in](mailto:mmenquiry@dghindia.gov.in)) by **1400 Hrs (IST) of 10.11.2020 (Tuesday)** followed by 01 (one) set of hard copy (in original) of the same through courier/post super-scribing "NOTICE INVITING OFFERS FOR EMPANELMENT OF AGENCIES TO INDEPENDENTLY CARRY OUT AUCTIONS THROUGH ELECTRONIC PLATFORM FOR THE PRICE DISCOVERY OF NATURAL GAS PRODUCED IN INDIA", to be received at the following address before 1400 Hrs (IST) on 12.11.2020 (Thursday):

### **HOD (MM)**

DIRECTORATE GENERAL OF HYDROCARBONS

OIDB BHAWAN, TOWER A, PLOT NO. 2, SECTOR – 73, NOIDA-201301

Tel: 0120-2472020, Fax- 0120-2472049

*Note:*

- 1. The size of the Email attachment should be less than 20 MB. In case if the size of the attachment is more than 20 MB, the bidder may split the attachment and submit their offer in multiple emails.*
- 2. Any further change in NIO shall be notified through the website of DGH only. Bidders are advised to regularly visit the website of DGH for any update regarding this NIO.*

## **O. PRESENTATION AND DEMO FOR TECHNICAL EVALUATION**

All the qualified bidders will be required to give their technical presentation and demo of their e-auction platform from 16.11.2020 onwards for which the schedule shall be intimated by email by 13.11.2020.

## Confirmation regarding Compliance to NIO Terms and Conditions

NIO No. DGH/MM/EMP/2020/ENQ-191

Date: \_\_/\_\_/\_\_

HoD (MM)  
Directorate General of Hydrocarbons.  
OIDB Bhawan, Tower A,  
Plot No. 2, Sector-73, Noida-201301.

Dear Sirs,

1. I/We have understood and complied with the terms and conditions of this NIO for providing services/work/job and have thoroughly examined and complied with the Scope of Work, hereto and am/are fully aware of the nature of the service/work/job required and my/our offer is to provide services strictly in accordance with the requirements.

3. I/We hereby confirm that our offer shall be valid for a period of **90 days from the date of closing of bid**

Yours faithfully,

Signature of the Bidder

\_\_\_\_\_

Name\_\_\_\_\_

Seal of the Company

\_\_\_\_\_

Dated

Signature of witness

Address

**Note: This form should be returned along with offer duly signed.**

### Checklist for Document Submission

No.	Document to be submitted	Whether Submitted by Bidder (Yes/ No)
1	Confirmation regarding Compliance to NIO Terms and Conditions (Appendix 1)	
2	Power of Attorney in favour of the Authorised Signatory (Original or notarized copy to be submitted with physical submission)	
3	Bidder's basic details (Name, contact, address, authorised signatory, etc.)	
4	All documents evidencing eligibility against the Pre-qualification criteria (as per Point D of NIO).	
5	A list covering the brief description of contracts, value and its awarding entity for the criteria listed in evaluation matrix (as per Point E of NIO).	
6	All supporting documents for the criteria listed in evaluation matrix (as per Point E of NIO).	
7	Undertaking that the bidder is not blacklisted or debarred by Central/ State Government/ PSU in India.	
8	Undertaking that if the bidder modify or withdraw their offer during the period of validity of offer, fail to provide their acceptance to notification for empanelment within 72 hours from notification, or for any other non-performance during validity of empanelment, they will be suspended permanently or for a period to be decided by a committee constituted by DGH from being eligible to submit their bids for any future contracts with DGH/MoPNG	
9	Undertaking confirming bidders' compliance to the conflict of interest conditions of this NIO.	
10	Any other relevant documents sought in the NIO which are not covered above.	