



# DIRECTORATE GENERAL OF HYDROCARBONS

(Ministry of Petroleum & Natural Gas, Government of India)

## Corrigendum No. 2 to E-Tender No. MM-14/4/2021-DGH/C5571/ENQ/207 for Empanelment of Law Firms for a Period of three (3) years.

This corrigendum is issued to extend bid closing/opening date, to amend terms & conditions, and to publish DGH's response to pre bid queries.

### A: Extension of bid closing/opening date:

|                         | In lieu of | Revised    |
|-------------------------|------------|------------|
| <b>Bid Closing Date</b> | 25.11.2021 | 09.12.2021 |
| <b>Bid Opening Date</b> | 26.11.2021 | 10.12.2021 |

### B: Amendment to terms & conditions:

| Sl no.   | Clause no.   | In lieu of  | To be read as under  |
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| <b>Annexure – II: Bid Rejection /Evaluation Criteria</b> |  |   |  |
| 1.   | <b>B.1 - Technical Rejection Criteria:<br/>Clause 2.0 (vi)</b> | Bidders should not be associated directly or indirectly with rival contractor/agency or any person/entity against MoPNG in disputes during the last 5 (five) years as on the Bid closing date.<br>*An undertaking in Company's Letter head must be provided by the bidder confirming the above. | Bidder(s) should not be associated directly or indirectly with rival contractor/agency or any person/entity against MoPNG (Exploration Division) in any disputes pending as on the Bid closing date. Moreover, in the event of Empanelment by DGH, the empanelled law firm shall not take any assignment against MoPNG (Exploration Division) during the entire empanelment period or handling of any matter, as applicable.<br>*An undertaking in Company's Letter head must be provided by the bidder along with the bid confirming the above. |

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| 2   | <b>C. Price Evaluation Criteria</b>                               | <b>NEW CLAUSE</b>   | (v) As per SI no. 45 of Notifications No. 12/2017 and 2/2018 - Central Tax (Rate), legal services provided to Central Government are exempted from GST. The bidders are therefore advised to quote “0 %” GST in the prescribed Price Format. If the GST value quoted by bidder(s) happens to be more than “0 %”, the <b>basic “Blended rate” exclusive of GST</b> shall be considered for evaluation of L1, L2, L3 .....rates and subsequent matching with L1 rate. |
| <b>Annexure-III: Scope of work and other terms and conditions</b> |   |   |   |
| 3   | <b>Para D: Methodology for Financial evaluation</b>               | <b>NEW CLAUSE</b>   | (v) As per SI no. 45 of Notifications No. 12/2017 and 2/2018 - Central Tax (Rate), legal services provided to Central Government are exempted from GST. The bidders are therefore advised to quote “0 %” GST in the prescribed Price Format. If the GST value quoted by bidder(s) happens to be more than “0 %”, the <b>basic “Blended rate” exclusive of GST</b> shall be considered for evaluation of L1, L2, L3 .....rates and subsequent matching with L1 rate. |
| <b>Model Contract and General Conditions of Contract</b>          |   |   |   |
| 4   | <b>Clause no. 6.0: PERSONNEL TO BE DEPLOYED BY THE CONTRACTOR</b> | 6.1 Contractor warrants that they will provide competent, qualified, and sufficiently experienced personnel to perform the work correctly and efficiently and shall ensure that such personnel observe applicable DGH and statutory safety requirement. Upon DGH's written request, Contractor, entirely at their own expense, shall remove immediately, from assignment to the work, any personnel of the Contractor determined by the DGH to be unsuitable and shall promptly replace such personnel with personnel acceptable to the DGH without affecting DGH's work. The replacement key personnel | As mentioned in Annexure -III: Scope of work and other terms and conditions   |

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|  |  | <p>must have the requisite qualification and experience as per Scope of Work / Technical Specifications (Annexure -III) and shall submit their credentials along with their recent photographs to DGH for approval of DGH.</p> <p>6.0 The Contractor shall be solely responsible throughout the period of this contract for providing all requirements of their personnel including but not limited to their transportation to &amp; fro Noida/field site, enroute/local boarding, lodging, medical attention etc. DGH shall have no liability or responsibility in this regard.</p> <p>6.1 Contractor's key personnel shall be fluent in English language (both writing and speaking).</p> |  |
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Addendum/ Corrigendum / Bid Due Date Extensions, if any, to the Bid Document shall be uploaded only on DGH's website [www.dghindia.gov.in](http://www.dghindia.gov.in) and Government of India's Public Procurement Portal <http://eprocure.gov.in/cppp/>. Hence, bidders are requested to visit the said websites regularly.

**C: Response to Queries from different Vendors**

| <b>Response to Query submitted by M/s JSA Advocates and Solicitors</b> |   |  |   |
|--|---|--|---|
| <b>Sl.No.</b>  | <b>Relevant Section</b>   | <b>Query</b>   | <b>DGH Reply</b>  |
| <b>1</b>   | Tender. Clause B.1, 2.0 (vi) of Annexure II (Bid Rejection/Evaluation Criteria) | <p>Clause B.1(vi) of Annexure II of the Tender, provides that:</p> <p>“Bidders should not be associated directly or indirectly with rival contractor/agency or any person/entity against MoPNG in disputes during the last 5 (five) years as on the Bid closing date.</p> <p>*An undertaking in Company’s Letter head must be provided by the bidder confirming the above.”</p> <p>In relation to the above, please note that the above Bid Rejection/Evaluation criteria appears to be onerous in nature, as most Tier 1 law firms specializing/working in the Oil &amp; Gas Sector would have multiple private sector clients and may be advising/have advised and/or are engaged (in the last 5 (five) years) on matters where the counterparty may be the MoPNG, directly or indirectly. Accordingly, given the broad ambit of the bid criteria, various law firms will be automatically be disqualified which would limit open participation in the Tender bidding process and will restrict competition/participation.</p> <p>Accordingly, we’d request you to kindly amend the Tender document to remove the said criteria.</p> | Please refer to amended Clause B.1, 2.0 (vi) of Annexure II (Bid Rejection/Evaluation Criteria) |