



**VADODARA GAS LIMITED**  
(A joint venture of GAIL Gas and VMC)

**CORRIGENDUM – 1 DATED 30/09/2021**

**Tender No.: VGL/CO/C&P-CNG/BD202103144 & Tender ID: 481398**  
**Tender Subject: Hiring of Manpower through Third Party for Peripheral & Support Services at VGL for a Period of 24 Months**

THE FOLLOWING CORRIGENDUM IS BEING ISSUED IN SUBJECT BID DOCUMENT:

THE FOLLOWING CLAUSE IS TO BE ADDED AND CONSIDERED AS CLAUSE NO. 1.4 UNDER BID EVALUATION CRITERIA IN SECTION – II “BIDDER’S ELIGIBILITY CRITERIA [BEC], METHODOLOGY FOR EVALUATION AND COMPARISON OF BIDS & INSTRUCTION TO BIDDERS [ITB]”

**1.4 CLAUSE REGARDING PROVISION FOR PROCUREMENT FROM A BIDDER WHICH SHARES A LAND BORDER WITH INDIA:**

1. Order (Public Procurement No. 1) dated 23.07.2020, Order (Public Procurement No. 2) dated 23.07.2020 and Order (Public Procurement No. 3) dated 24.07.2020, Department of Expenditure, Ministry of Finance, Govt. of India refers. The same are available at website <https://doe.gov.in/procurement-policy-divisions>.
2. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. For details of competent authority refer to Annexure I of Order (Public Procurement No. 1) dated 23.07.2020.

Further the above will not apply to bidders from those countries (even if sharing a land border with India) to which the Government of India has extended lines of credit or in which the Government of India is engaged in development projects. Updated lists of countries to which lines of credit have been extended or in which development projects are undertaken are given in the website of the Ministry of External Affairs, Govt. of India

3. "Bidder" (including the term 'tenderer', 'consultant' 'vendor' or 'service provider' in certain contexts) for purpose of this provision means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency, branch or office controlled by such person, participating in a procurement process.
4. "Bidder from a country which shares a land border with India" for the purpose of this:
  - a. An entity incorporated, established or registered in such a country; or
  - b. A subsidiary of an entity incorporated, established or registered in such a country; or
  - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
  - d. An entity whose beneficial owner is situated in such a country; or
  - e. An Indian (or other) agent of such an entity; or
  - f. A natural person who is a citizen of such a country; or



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- g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above

**5. "Beneficial owner" for the purpose of above (4) will be as under:**

- i.) In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person(s), has a controlling ownership interest or who exercises control through other means.

**Explanation—**

- a) "Controlling ownership interest" means ownership of, or entitlement to, more than twenty-five per cent of shares or capital or profits of the company;
- b) "Control" shall include the right to appoint the majority of the directors or to control the management or policy decisions, including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
- ii) In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
- iii) In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
- iv) Where no natural person is identified under (i) or (ii) or (iii) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
- v) In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.
- 6. "Agent" for the purpose of this Order is a person employed to do any act for another, or to represent another in dealings with third persons**



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**7. SUBMISSION OF CERTIFICATE IN BIDS:**

Bidder shall submit a certificate in this regard as Form-I.

**If such certificate given by a bidder whose bid is accepted is found to be false, this would be a ground for immediate rejection of the bid/termination and further action as per “Procedure for Action in case of Corrupt/Fraudulent/ Collusive / Coercive Practices” of tender document.**

- 8.** The registration, wherever applicable, should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance / placement of order, registration shall not be a relevant consideration during contract execution.

**9. PROVISION TO BE IN WORKS CONTRACTS, INCLUDING TURNKEY CONTRACTS: [NOT APPLICABLE FOR THIS TENDER]**

The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority. The definition of "contractor from a country which shares a land border with India" shall be as in Para 4 herein above. A Certificate to this regard is to be submitted by bidder is placed at Form-II.

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**ALL OTHER TERMS AND CONDITIONS SHALL REMAINS UNCHANGED**

**NOTE: A COPY OF THIS CORRIGENDUM AS ISSUED ON n- Procure / VGL WESITE ALONG WITH REQUIRED DOCUMENTS/ CERTIFICATES DULY SIGNED AND STAMPED BY AUTHORIZED SIGNATORY OF THE BIDDER WILL BE REQUIRED TO BE SUBMITTED WITH TECHNO-COMMERCIAL BID AS THIS WILL BE AN INTEGRAL PART OF THE TENDER.**



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Form-I

**UNDERTAKING ON LETTERHEAD**

To,  
M/s Vadodara Gas Limited  
1<sup>st</sup> Floor, Riddhi Tower,  
Near Manisha Circle,  
Old Padra Road,  
Vadodara – 390015 (Gujarat)

**Subject:**  
**Tender no:**

Dear Sir,

We have read the clause regarding Provisions for Procurement from a Bidder which shares a land border with India, we certify that, bidder M/s\_\_\_\_\_ (*Name of Bidder*) is:

- (i) Not from such a country [    ]  
If from such a country, has been registered with the  
Competent Authority. [    ]  
(ii) (Evidence of valid registration by the Competent  
Authority shall be attached)

*(Bidder is to tick appropriate option (✓ or X) above).*

We hereby certify that bidder M/s\_\_\_\_\_ (Name of Bidder) fulfills all requirements in this regard and is eligible to be considered against the tender.

Place : [Signature of Authorized Signatory of Bidder]  
Date : Name :  
Designation :  
Seal :