

**ANNEXURE G**

**SPECIAL CONDITIONS OF THE CONTRACT**

| S. NO.    | TERMS & CONDITIONS             | BHEL REQUIREMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bidder 'S CONFIRMATION /<br>REPLY |
|-----------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| A         | NAME & ADDRESS                 | Name, address, e-mail id, contact no.etc. of entity on whom order to be released in case of L1.                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
|           |                                | The offer shall be from the manufacturer directly. Offer from agent will not be considered as valid offer and hence not considered for evaluation<br>Note: BHEL shall deal directly with all Indian manufacturers.                                                                                                                                                                                                                                                                                               |                                   |
| <b>I</b>  | <b>TECHNICAL TERMS</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
| 1         | DESCRIPTION, QUANTITY & SIZE   | As per Enquiry (RFQ)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                   |
| 2         | SPECIFICATION                  | OE56100 R00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                   |
| 3         | MATERIAL                       | As per above specifications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                   |
| 4         | QUALITY PLAN                   | Quality Plan enclosed along with the tender shall be followed<br>QP NO.: MAIT:C&AHP: R4R5-R4R6<br>PS:MAITG:R676&R4R5                                                                                                                                                                                                                                                                                                                                                                                             |                                   |
| 5         | PACKING & MARKING              | As per above BHEL Specification/further BHEL Instructions, if any<br>Packing Crate drawings – Annexure K<br>Material for crate assemblies is in scope of BHEL.                                                                                                                                                                                                                                                                                                                                                   |                                   |
| 6         | INSPECTION & CERTIFICATION     | Inspection inline with approved QAP , shall be organised by vendor using any of the following customer approved TPI agencies.<br>a) TUV SUD South Asia<br>b) Bureau Veritas India Limited (BVIL)<br>c) Quality Evaluation & System Team Pvt Ltd.<br>d) IR Class system and solutions pvt. Ltd.<br>e) RITES<br>f) TUV Rheinland (India) Pvt. Ltd.<br><br>The offer shall be inclusive of the cost of all the inspection and certification charges by the TPIA.<br>No separate inspection charges shall be quoted. |                                   |
| 7         | RAW MATERIAL                   | BHEL shall deliver the free issue material at subcontractor's works. Free issue materials may be supplied in full length/standard sizes (For example Plates 6.3x2.5 m, structural of 10-12 m length) and/or cut to size wherever applicable. Subcontractor shall cut the as per the required size of drawing.                                                                                                                                                                                                    |                                   |
| <b>II</b> | <b>COMMERCIAL TERMS</b>        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
| 8         | DISTRIBUTION OF QUANTITY       | As per Annexure F (Clause 10.0)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
| 9         | TERMS OF DELIVERY              | FOR Chennai Port<br><u>Consignee Address:</u><br>Engineer/Docks<br>Bharat Heavy Electricals Ltd<br>Near Marshalling Yard, Chennai Port trust<br>Chennai 600 001                                                                                                                                                                                                                                                                                                                                                  |                                   |
|           |                                | a) Freight & Insurance are in Bidder's scope and price quoted is inclusive of F & I.                                                                                                                                                                                                                                                                                                                                                                                                                             |                                   |
|           |                                | b) Date of Material Receipt Certificate (MRC) by BHEL Official, Chennai Port shall be considered as date of delivery.                                                                                                                                                                                                                                                                                                                                                                                            |                                   |
| 10        | PACKING & FORWARDING CHARGES   | 1. Metal Crate fabrication Charges shall be paid extra as per Clause 8 of Annexure F.<br>2. Other P & F charges shall be inclusive in price.                                                                                                                                                                                                                                                                                                                                                                     |                                   |
| 11        | Third Party Inspection Charges | The offer shall be inclusive of the cost of all the inspection and certification charges by the TPIA.<br>No separate inspection charges shall be quoted.                                                                                                                                                                                                                                                                                                                                                         |                                   |

| S. NO.               | TERMS & CONDITIONS             | BHEL REQUIREMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Bidder 'S CONFIRMATION /<br>REPLY |                 |        |      |          |      |                 |      |  |
|----------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------|--------|------|----------|------|-----------------|------|--|
| 12                   | MATERIAL DELIVERY              | <p>BHEL shall deliver the material at subcontractor's works within 50 kms radius of HPEP Hyderabad.</p> <p>a) For distance longer than those indicated above, offer shall be loaded by the following formula:</p> <p>Movement of free issue material from BHEL stores to vendor works is in the scope of BHEL. However,vendors situated beyond 50 Kms distance from BHEL Hyderabad, transportation charges will be loaded. The transportable distance will be arrived after reducing 50 Kms from vendors works location as per google maps minimum distance. Transportation charges are as per table below.</p> <table><tr><td>Extra Distance in KM</td><td>Rates Rs /MT/km</td></tr><tr><td>50-500</td><td>4.47</td></tr><tr><td>501-1200</td><td>4.41</td></tr><tr><td>Above than 1200</td><td>4.41</td></tr></table> <p>For Example, If any vendor is located at 150 Km distance away from BHEL HPEP the loading will be =(4.47*100(After removing 50KM)/1000)+28(Quoted Rate/Kg.)<br/>For Vendor who has quoted Rs 28/kg and situated at 150 Km distance from HPEP will be loaded with 0.447 and arrive at 28.447 for price comparision.</p> | Extra Distance in KM              | Rates Rs /MT/km | 50-500 | 4.47 | 501-1200 | 4.41 | Above than 1200 | 4.41 |  |
| Extra Distance in KM | Rates Rs /MT/km                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |                 |        |      |          |      |                 |      |  |
| 50-500               | 4.47                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |                 |        |      |          |      |                 |      |  |
| 501-1200             | 4.41                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |                 |        |      |          |      |                 |      |  |
| Above than 1200      | 4.41                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |                 |        |      |          |      |                 |      |  |
| 13                   | DELIVERY                       | <p>5 weeks from delivery of last Free Issue material at Subcontractor's Works</p> <p><b>Note:</b></p> <p>a) For delivery period longer than those indicated above, shall be loaded by 0.5% per week or part there of during evaluation of offer.</p> <p>b) Delivery is critical for evaluation of offer. Offers with beyond delivery period of 9 weeks (5 weeks + Grace period 4 weeks) against the respective schedules may be liable for rejection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | (i) ____ Weeks                    |                 |        |      |          |      |                 |      |  |
| 14                   | MSE CLAUSE                     | <p>“MSE suppliers can avail the intended benefits only if they submit along with the offer, attested copies of either EM II certificate having deemed validity (Five years from the date of issue of acknowledgement in EM-II) or valid NSIC certificate or EM II certificate along with attested copy of a CA certificate (Format enclosed as per Annexure – R where deemed validity of EM-II certificate of five years has expired) applicable for the relevant financial year (latest audited). Date to be reckoned for determining the deemed validity will be the date of bid opening (Part-I). Non submission of such documents will lead to consideration of their bid at par with other bidders. No benefit shall be applicable for this enquiry if any deficiency in the above required documents are not submitted before price bid opening. If the tender is to be submitted through E Procurement portal, then the above required documents are to be uploaded on the portal. Documents should be notarized or attested by a Gazetted Officer.”</p>                                                                                  |                                   |                 |        |      |          |      |                 |      |  |
| 15                   | TWO-PART BID                   | <p>Bidder shall submit their offer in three part bid system i.e.</p> <p>Part-1(Pre-qualification criteria bid &amp; Techno-Commercial bid)</p> <p>and</p> <p>Part-2 (price bid)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                   |                 |        |      |          |      |                 |      |  |
| 16                   | PRE-QUALIFICATION CRITERIA BID | <p>Pre-qualification Criteria bid shall consists the following documents.</p> <p>A) Duly filled in Pre-Qualification Criteria (PQC) &amp; CHECKLIST</p> <p>B) Supporting documents as per the PQC(Pre- Qualification Criteria)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                   |                 |        |      |          |      |                 |      |  |
| 17                   | TECHNO-COMMERCIAL BID          | <p>Techno-Commercial Bid shall essentially consist of:</p> <p>(i) Details as per Annexure-A-R</p> <p>(ii) Technical offer of the bidder inline with the tender specification.</p> <p>(iii) Signed copy of Priced Sheets without price.</p> <p>(iv) Filled in and signed Integrity Pact.</p> <p>All the above documents shall be duly authenticated by signature &amp; official stamp on each page.</p> <p><b>Note:</b></p> <p>Bid shall be complete in all respects including all the documents / information required for techno-commercial evaluation. Incomplete offers shall be liable to rejection.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                   |                 |        |      |          |      |                 |      |  |
| 18                   | PRICE BID                      | <p>Quoted price shall be on firm basis for Category.Bidder shall quote prices strictly as per the enclosed price bid format.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                   |                 |        |      |          |      |                 |      |  |

| S. NO. | TERMS & CONDITIONS   | BHEL REQUIREMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Bidder 'S CONFIRMATION /<br>REPLY |
|--------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 19     | REVERSE AUCTION      | <p>BHEL reserves the right to go for Reverse Auction (RA) (Guidelines as available on www.bhel.com) instead of opening the sealed envelope price bid, submitted by the bidder. This will be decided after techno-commercial evaluation. Bidders to give their acceptance with the offer for participation in RA. Non-acceptance to participate in RA may result in nonconsideration of their bids, in case BHEL decides to go for RA.</p> <p>Those bidders who have given their acceptance to participate in Reverse Auction will have to necessarily submit 'Process compliance form' (to the designated service provider) as well as 'Online sealed bid' in the Reverse Auction. Non-submission of 'Process compliance form' or 'Online sealed bid' by the agreed bidder(s) will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/ contractors (as available on www.bhel.com).</p> <p>The bidders have to necessarily submit online sealed bid less than or equal to their envelope sealed price bid already submitted to BHEL along with the offer. The envelope sealed price bid of successful L1 bidder in RA, if conducted, shall also be opened after RA and the order will be placed on lower of the two bids (RA closing price &amp; envelope sealed price) thus obtained. The bidder having submitted this offer specifically agrees to this condition and undertakes to execute the contract on thus awarded rates.</p> |                                   |
|        |                      | <p>If it is found that L1 bidder has quoted higher in online sealed bid in comparison to envelope sealed bid for any item(s), the bidder will be issued a warning letter to this effect. However, if the same bidder again defaults on this count in any subsequent tender in the unit, it will be considered as fraud and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/ contractors (as available on www.bhel.com).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                   |
|        |                      | Details of Bidder's Representative participating in RA like Name, E-mail, Phone and Fax No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                   |
| 20     | EVALUATION OF OFFERS | Price shall be evaluated on overall basis for Category.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                   |
| 21     | GUARANTEE            | Guarantee on the supplies for a period of 18 months from the date of dispatch or 12 months from the date of commissioning whichever is earlier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                   |
| 22     | INTEGRITY PACT (IP)  | <p>(a) IP is a tool to ensure that activities and transactions between the Company and its Bidders / Contractors are handled in a fair, transparent and corruption free manner. A panel of Independent External Monitors (IEMs) have been appointed to oversee implementation of IP in BHEL.</p> <p>The IP as enclosed with the tender is to be submitted (duly signed by authorized signatory who signs in the offer) along with techno-commercial bid. Only those bidders who have entered into such an IP with BHEL would be competent to participate in the bidding. In other words, entering into the Pact would be a preliminary qualification.</p> <p><b><u>Details of IEM for this tender is furnished below:</u></b></p> <p>Name: Shri Arun Chandra Verma, IPS (Retd.)<br/>Address: Flat No. C-1204, C-Tower,<br/>Amrapali, Platinum Complex,<br/>Sector - 119, Noida (U.P.).<br/>E-mail: acverma1@gmail.com</p> <p>Name: Shri Virendra Bahadur Singh, IPS (Retd.)<br/>Address: H. No. B-5/64, Vineet<br/>Khand, Gomti Nagar,<br/>Lucknow - 226010<br/>E-mail: vbsinghips@gmail.com</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                   |
|        |                      | <p>(b) Please refer Section-8 of the IP for the Role and Responsibilities of IEMs. In case of any complaint arising out of the tendering process, the matter may be referred to the IEM mentioned in the tender.</p> <p>No routine correspondence shall be addressed to the IEM (phone / post / email) regarding the clarifications, time extensions or any other administrative queries, etc. on the tender issued. All such clarifications / issues shall be addressed directly to the tender issuing (procurement) department.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |
| 23     | PAYMENT              | As per GCC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                   |
| 24     | ELECTRODES           | The subcontractor shall use the electrodes from BHEL approved vendors (other units approved vendors are also allowed). List of BHEL Hyderabad vendors are attached as per Anneuxre M.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |