



Ref. Enquiry No.: PE/PG/BIF/E-6480/2020, Dated 13.08.2020

DUE DATE
03-SEPT-2020
BY 10:00 AM (IST)

TENDER ENQUIRY THROUGH E-PROCUREMENT

Dear Ma'am/Sir,

Subject: Tender Enquiry for "FIRE SEALING SYSTEM" as per Technical Specification No. PE-TS-421-507-E016, Rev.0 to 2X660 MW BIFPCL MAITREE KHULNA STPP (BANGLADESH).

BHEL invites offers from reputed bidders (Refer Pre-qualifying requirements and other requirements given in tender enquiry letter uploaded on our websites) for design, engineering, manufacture, testing and inspection at vendor's/sub-vendor's works, PROPER packing (Sea-worthy), despatch to site (F.O.R. BIFPCL MAITREE SITE at RAMPAL, Bangladesh), site unloading, handling and erection & commissioning of FIRE SEALING SYSTEM for cable openings through walls, floors & below panels, pipe sleeves and fire protection coating on installed cables conforming to as described in the various sections of Technical Specification No. PE-TS-421-507-E016 Rev.0 for 2X660 MW BIFPCL MAITREE KHULNA STPP. It is not the intent to specify herein all the details of design & manufacture of material. However, the material shall, conform in all respects to high standard of design, engineering and workmanship and shall be capable of performing in continuous commercial operation at site conditions.

ITEM DESCRIPTION - FIRE SEALING SYSTEM		
Sl. No.	PROJECT	TECHNICAL SPECIFICATION NO.
1	2X660 MW BIFPCL MAITREE KHULNA STPP.	PE-TS-421-507-E016 Rev.0

Your best quotation/offer for the above requirement, in line with enquiry terms and conditions, should be submitted online via e-procurement portal (<https://bhel.abcprocure.com>) under mentioned equipment's /system. Please note that you have to submit bids in two parts (Techno-Commercial Bid and Price Bid) separately **ONLINE via e-Procurement System**. In case you are not making an offer against this enquiry, you are requested to send a regret letter so as to reach us on or before the due date.

All corrigenda, addenda, amendments, time extensions, clarifications etc., to the tender will be hosted on websites only (www.bhelpem.com, www.bhel.com, (<https://bhel.abcprocure.com>) under subject tender reference. Bidders are requested to visit our websites constantly to keep themselves updated. Bidders may go through the Sellers' manual & Help documents provided on E-Procurement Portal website & obtain required Digital Signature Certificate for participating in the subject tender.

For Bidder's convenience, the Helpdesk Nos. of E-Procurement service providers are also listed in the Annexure -H to this NIT.

Jitender Saini
DY. MGR/PG-I, BHEL/PS-Project Engineering Management,
Power Project Engineering Institute,
Plot no. 25, Sector - 16A, Noida (UP) 201301, INDIA
(OFF) +91-120-4368579

Regd. Office
BHEL House Siri Fort
New Delhi-110049



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It shall be the responsibility of the bidder to ensure that the tender is submitted via e-PROCUREMENT SYSTEM (<https://bhel.abcprocure.com>) on or before the due date and Part-I bids shall be opened on the due date through e-procurement Portal (<https://bhel.abcprocure.com>).

Note :-

- 1. Please note that part supplies offered for Project shall disqualify the bidder's offer.**
- 2. Evaluation will be done on overall L1 (Total cost to BHEL excluding GST) basis with necessary loading as applicable.**

ENQUIRY TERMS AND CONDITIONS

Please refer GCC, Rev.07 which is available on www.bhelpem.com/Tenders.aspx. and Bidders are requested to go through the same while submitting the offer.

1. Offers should be submitted **ONLINE via e-Procurement System (<https://bhel.abcprocure.com>)** separately in two parts as follows :
Part-I: **TECHNO-COMMERCIAL BID** Part-II: **ONLINE PRICE BID**
For detailed instructions, please see clause no. 2 of "Instructions to Bidders of GCC Rev. 07".
2. If bidder uploads price bid in the unpriced section (techno-commercial attachment page) of the tender in e-procurement, in that case bidder(s) shall only be responsible for such mistake and any consequences thereof. Hence, all bidders are requested to be more careful at the time of uploading the Unpriced and Price Bid for Part-I and Part-II respectively to avoid mismatch.
3. Bidders shall submit their offers meeting the requirements of the following tender documents indicated in GCC, Rev. 07 and other Terms and Conditions included in this Enquiry Letter:
 - **ANNEXURE-I:** To be furnished by the Bidders.
 - **ANNEXURE-II:** DEVIATION SHEET (COST OF WITHDRAWAL)
4. **Bidders to note that following documents are part of tender documents:**
 - General Conditions of Contract (GCC) Rev.07
 - PEM-Special Conditions of Contract i.e. SCC Rev 01 (**GCC Rev 06 mentioned anywhere in the SCC Rev01 may please be read as GCC REV 07**)
 - Enquiry terms & conditions
 - Price Schedule
 - Technical Specification.
 - Technical PQR
 - Financial PQR
 - BHEL-PSER GCC & SCC for Service (E&C).
 - Currency Matrix
 - BIDA approval Flow Chart



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Bidders to note that offers shall be submitted strictly in accordance with the requirements of the above tender documents and all the above tender documents shall automatically become the part of the order/contract after its finalisation.

5. The order of precedence shall be NIT/RFQ, Special Conditions of Contracts (SCCs) and General Conditions of Contracts (GCCs) (to be read in conjunction with clause no. 23 of Enquiry Terms & Conditions).
6. Deviations (Technical as well as Commercial) from NIT are generally not acceptable. In case of deviations (Technical/Commercial), the same shall be highlighted separately giving clause references along with the Cost of withdrawal of Deviations as per Annexure-II to GCC, Rev. 07 (to be read in conjunction with GST related corrigendum to GCC, Rev.07) along with reasons for taking such deviations. Any deviations (Technical as well as Commercial) not mentioned in the Annexure-II shall not be considered.

Bidder to note all the points mentioned in "Notes" of Annexure-II to GCC, Rev.0.

7. Bidder has to submit "NO DEVIATION CERTIFICATE FOR COMMERCIAL TERMS AND CONDITIONS as per General Conditions of Contracts (GCC, Rev.07), Special Conditions of Contract, Notice Inviting Tender (NIT) & BHEL PSER GCC & SCC for E&C (service)" **in case of no deviations.**
8. Standard pre-printed terms & conditions of the tenderers (other than BHEL format) shall not be considered valid.
9. Unsolicited fresh/revised price bids shall not be entertained. Late tenders are liable to be rejected.
10. Purchaser shall be under no obligation to accept the lowest or any other tender and shall be entitled to accept or reject any/all tender(s) in part or full without assigning any reason whatsoever.
11. Tenderers must enclose the Quality Plan in the prescribed format as per Tech spec for approval. Equipment will be dispatched only after Purchaser's/Owner's inspection at the hold points specified in the approved Quality Plan and issue of Material Dispatch Clearance Certificate (MDCC).
12. Prices shall be firm till completion of contract.
13. Validity of offer shall be as per cl.no.7(instruction to bidders) of GCC Rev 07.



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14. All correspondence thereof, shall be addressed to the undersigned by name & designation and sent at the following address :

Jitender Saini, Dy MGR, PG-1 M/s. Bharat Heavy Electricals Ltd., Project Engineering Management, Power Project Engineering Institute, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301,U.P.,INDIA E-MAIL : jitendersaini@bhel.in Ph. No. +91-120-4368579, +919582912901	HASEEN AHMED, MANAGER, PG-I M/s. Bharat Heavy Electricals Ltd., Project Engineering Management, Power Project Engineering Institute, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301,U.P.,INDIA E-MAIL : haseenahmed@bhel.in Ph. No. +91-120-4368729, +919871116747
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15. **Delivery Schedule :**

- a) **Main Supply** : As per Annexure A to NIT
b) **E&C** : As per Annexure A to NIT

16. **Quantity Variation :**

Over all (%) variation in contract value : The variation in overall package value due to changes in the scope shall be limited to $\pm 30\%$. This will prevail over the quantity variation clause no. 6.0 indicated in the GCC, Rev.07

17. **Pre-Qualifying Requirement :**

Bidders are requested to furnish the details as per "TECHNICAL AND FINANCIAL PRE-QUALIFYING REQUIREMENTS" (enclosed with the enquiry document). Bidders to furnish all legible & valid documents required for Technical & Financial PQR. The same shall be properly co-relating with respective clause of PQRs.

Bids of only those bidders shall be evaluated who meet the Technical as well as Financial pre-qualifying requirements.

18. Bidders to ensure that Third party/customer issued certificates being submitted as proof of PQR qualification should have verifiable details of document/certificate issuing authority such as name & designation of Issuing Authority and its organisation contact number and email id etc. In case the same found not available, Purchaser has right to reject such document from evaluation.
19. Bidders to note for compliance that this is a conditional enquiry (Open domestic Tender), and the evaluation/acceptance of offer shall be subject to following criterion :
- a) Fulfilment of Technical and Financial pre-qualifying requirements.
- b) Techno-commercial qualification / recommendation of bidder by BHEL-PEM



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20. The bidders (who are not registered with BHEL-PEM) - Online Registration Portal is operational in BHEL. Non-registered bidders, who wish to apply for registration with BHEL-PEM, have to apply through Online Registration Portal available at www.bhhelpem.com → vendor section → Online Supplier Registration. All credentials and/or documents duly signed and stamped related to registration has to be uploaded on the website and submit the application for registration. One set of hard copy of the filled-up SRF downloaded from Online Registration Portal duly signed and stamped has to be submitted."
21. "BHEL shall be resorting to Reverse Auction (RA) (Guidelines as available on www.bhel.com) for this tender. RA shall be conducted among all the techno-commercially qualified bidders. Price bids of all techno-commercially qualified bidders shall be opened and same shall be considered as initial bids of bidders in RA. In case any bidder(s) do(es) not participate in online Reverse Auction, their sealed envelope price bid along with applicable loading, if any, shall be considered for ranking." Vendors to note that this RA clause and RA Guidelines 2020 will supersede clause no 13 of "Instruction to Bidders" of GCC Rev 07
22. Following points shall be noted along with RA Guidelines 2020: -
"The Bidders has to quote the Single Price (i.e. Total Cost to BHEL) in Reverse Auction. Price are to be inclusive of Packing & Forwarding charges, all the routine & type tests (if any) as per tender scope, Freight as applicable, including loading (if any). De-loading (if any) shall be done in line with NIT terms.
23. **a) For supply portion of the package, commercial terms & conditions of PEM GCC Rev.07 & PEM project SCC Rev 01 shall be applicable.**
b) For E&C (Service) portion of the package, commercial terms & conditions of PSER GCC & SCC for service shall be applicable.
c) In case of any contradiction for E&C (Service) terms & conditions in PSER GCC & SCC for service with PEM GCC & SCC, PSER GCC & SCC for service shall prevail.
24. **Bidders to note the following delayed delivery (Liquidated Damages) terms: -**
- A. For Supply Portion:** (as per clause no. 16.2 of PEM GCC, Rev.07) :
"Purchaser reserves the right to recover from the Seller/ Contractor, as agreed liquidated damages and not by way of penalty, a sum equivalent to half (½) percent and applicable GST thereon, of the total main supply contract excluding GST price per week or part thereof, subject to a maximum of ten (10) percent of the total main supply contract price excluding GST, if the Seller/ Contractor fails to deliver any part of the ordered goods/stores within the period stipulated in the Order/ Contract".
- Clause no. 16.2.1 (d) of PEM GCC, Rev.07 (relating to Liquidated Damages for Turnkey packages) shall not be applicable for the subject tender.
- Date of receipt of material at F.O.R CHA Godown, Indian port /Indian port shall be treated as the date of dispatch for levying LD. Original receipted LR with the date of receipt of material shall be submitted by the supplier to PEM as a proof of receipt of goods.
- B. For Service Portion** (as per clause no. 39.0 of PSER SCC for Service):
"If the successful bidder fails to complete entire scope within completion period for reasons attributable to them, BHEL shall have the right to recover as liquidated damages (LD) a sum equivalent to 0.5 % of contract price, including taxes, duties, etc., for delay of each week or part thereof.



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The total liability for delay shall not in any case exceed 10 % (Ten percent) of the contract price, including taxes, duties, etc. Contract price for this purpose, shall be the final executed value, extra work executed & supplementary/ additional items”.

25. Bidders to note that Operation & Maintenance (O&M) work is not applicable for the package.

26. **Payment terms shall be as follows: -**

A) For Supply Portion: As per clause no. 9.3 of PEM GCC, Rev.07.

Ten percent (**10%** of basic price of materials supplied) (sub clause no. 9.3.1 (ii) of PEM GCC, Rev.07), shall be released after i) submission of certificate of submission of all the final documents for the package (as per Annexure IX & IX(A)), duly certified by Engineering Department of Purchaser and ii) final reconciliation after completion of all activities relating to the contract and iii) successful completion of Performance Guarantee (PG)/ Demonstration Test and handing over of the system/ package to Customer/BHEL, if applicable, as per Order/ Contract.

B) For Service Portion: As per clause no. 32.0 (and sub clauses 33.3.1, 33.3.2, 33.3.3, 33.3.4 & 33.3.5) of PSER SCC for Service.

W.r.t payment terms for Service (sub clause no. 33.3.4 of PSER SCC), “5 % (Ten percent) of contract price will be released against commissioning of all items/ materials/ system, on submission of protocol, duly signed by BHEL site official(s)/ customer, as per approved billing schedule.”

27. Evaluation will be done on overall L1 {Total cost to BHEL i.e. F.O.R. Site Price (Main Supply + E&C)} basis with necessary loading/de-loading as applicable.

28. Bidders to despatch the material up to **F.O.R. BIFPCL MAITREE SITE at RAMPAL, Bangladesh** and **quote strictly** as per price schedules enclosed with Enquiry Letter (NIT) through online e-procurement portal (<https://bhel.abcpocure.com>).

29. Bidders to note that being an export project, material shall be exempted from payment of Custom Duty & VAT while entering in Bangladesh territory. In order to avail above exemptions, export shall be in the name of BHEL-PEM. Export being in the name of BHEL-PEM, Advance Income Tax (AIT) is also not applicable on bidders. All the necessary support shall be provided by BHEL-PEM to bidders for exemptions.

However, being a turnkey package, it shall be bidder's responsibility to dispatch the material upto F.O.R. BIFPCL MAITREE SITE at RAMPAL, Bangladesh. All the other applicable charges shall be bidder's account.

30. Bidders to note the following Government notifications (enclosed with Enquiry Letter) regarding applicable GST for exports:

- Notification No. 41/2017 - Integrated Tax (Rate) dt. 23.10.2017 regarding IGST @0.1%
- Notification No. 40/2017 - Central Tax (Rate) dt. 23.10.2017 regarding CGST @0.05%
- Notification no. 1663 dt. 16.11.2017 regarding SGST @0.05%



31. Bidders to refer flowchart enclosed with Enquiry Letter (NIT) for obtaining mandatory BIDA approval in Bangladesh.
32. Bidders to refer PSER currency matrix enclosed with Enquiry Letter (NIT) and submit/quote their offer accordingly.
33. CIF is not available for the subject package.
34. Bidders to mandatorily quote the freight in terms of percentage of Total Ex-works price.
35. Following clause will be applicable in line with MII circular Public Procurement (preference to make in India), order dated-04.06.2020-

"For this procurement, the local content to categorize a supplier as a Class I local supplier / Class II local Supplier /Non Local supplier and purchase preference to Class 1 Local supplier, is as defined in Public Procurement (Preference to Make in India) Order 2017 dated 04.06.2020 issued by DPIIT. In case of subsequent orders issued by the nodal ministry, changing the definition of local content for the items of the NIT, the same shall be applicable even if issued after issue of this NIT, but before opening of Part-II bids against this NIT."

Since this package doesn't fall under clause 3 (a) of DPIIT's PP-MII order 2017, Rev dated 04/06/2020, therefore, in line with clause no 3 (b) of DPIIT's PP-MII order 2017, Rev dated 04/06/2020, "Class-I local suppliers" and "Class-II local suppliers" as defined in the order are eligible to bid.

In accordance with para 9 (a) of DPIIT's PP-MII order 2017 revision dated 04/06/2020, Class-I local suppliers" / "Class-II local suppliers" at the time of tender, bidding or solicitation shall be required to indicate percentage of local content and provide self-certification that the item offered meets the local content requirement for the Class-I local supplier" / "Class-II local supplier" as the case may be. They shall also give details of the location(s) at which the local value addition is made.

This package is non-divisible in nature.

36. Ministry of Finance (MoF) orders no F.No. 6/18/2019-PPD dated 23/07/2020 and clarification dated 24.07.2020 shall be applicable for this NIT and compliance of these circulars shall be ensured by bidders.
37. Inspection shall be done by BHEL/End Customer/Third party Agency (finalized by BHEL).
38. HSE (Health, Safety & Environment) requirement of BHEL shall be part of this NIT.
39. Bidders to note that packing of equipment shall be sea worthy in line with Technical specification for the package (Ref. No. PE-TS-421-507-E016). Further, sea worthy packaging will be witnessed by our inspection agency. Also, Bidders to submit photographs pertaining to packing of material before despatch.



40. Successful bidder shall abide by all Applicable Laws, Rules and Regulations of Bangladesh relating to the execution of contract and performance of work. Successful bidder shall obtain and maintain all consents, permits and licenses that are required under Applicable Laws of Bangladesh.
41. L1 bidder will have to submit BG as per format given in GCC, Rev.07.
42. The bidder along with its associate/collaborators/sub-contractors/sub-vendors/consultants/service providers shall strictly adhere to BHEL Fraud prevention policy displayed on BHEL website <http://www.bhel.com> and shall immediately bring to the notice of BHEL management about any fraud or suspected fraud as soon as it comes to their notice.
43. Indigenous bidders participating through open tender will necessarily have to buy class III DSCs issued by the certifying authorities in India. Basic procedure/checklist has been uploaded on www.bhel.com for participating in future tender enquiries through e procurement.
44. No announcements, press releases, handouts or photographs for publication etc. relating to purchase-order/work-order or any part of the supply/work shall be issued or released by successful bidder without BHEL's prior written approval.
45. The offers of the bidders who are on the banned list as also the offers of the bidders, who engage the services of the banned firms, shall be rejected. The list of banned firms is available on BHEL website www.bhel.com.
46. In case of joint bidding, bidders to furnish scope matrix which should be clearly defined between them along with the offer for the complete scope.
47. In the course of evaluation, if more than one bidder happens to occupy L-1 status, effective L-1 will be decided by soliciting discounts from the respective L-1 bidders. In case more than one bidder happens to occupy the L-1 status even after soliciting discounts, the L-1 bidder shall be decided by a toss / draw of lots, in the presence of the respective L-1 bidder(s) or their representative(s). Ranking will be done accordingly. BHEL's decision in such situations shall be final and binding.
48. This Package falls under the list of items defined in Para 3 of Ministry of Finance guideline dtd. 20.09.2016 (procurement of items related to public safety, health, critical security operations and equipment etc.) & hence criteria of prior experience/turnover shall same for all the bidders including start-up/MSME.
49. All corrigenda, addenda, amendments, time extensions, clarifications etc., to the tender will be hosted on websites only (www.bhelpem.com, www.bhel.com, <https://bheleps.buyjunction.in>) under subject tender reference. Bidders are requested to visit our websites constantly to keep themselves updated.



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50. In case you are not making an offer against this enquiry, you are requested to send a regret letter so as to reach us on or before the due date.
51. RBI circular no. FED.CO.TRADE (EXD)/3543/05.11.001/2017-18 dtd 18.10.2017 is enclosed as Annexure-R.
52. All the above tender documents shall automatically become the part of the order/contract after its finalisation.
53. Declaration of Udyog Aadhar Memorandum (UAM) number on Central public procurement Portal (CPPP) by MSE vendor is mandatory as per Govt. of India notification no 21 (2)/2011-Coord. Dated 04/04/18, falling which such bidders will not be able to enjoy the benefits of public procurement policy for MSEs order, 2012 for tenders invited electronically through CPPP.
54. Please note that for technical bid, detailed offers are to be submitted including the following along with the Price schedules as per BHEL format enclosed with NIT:
- Acceptance of PEM GCC Rev.07 & PEM Special Conditions of Contract (SCC REV 01).
 - Acceptance of PSER GCC & PSER SCC for service (E&C).
 - Pre-Qualifying Requirements (PQRs) along with supporting documents – a) TECHNICAL PQR & b) FINANCIAL PQR.
 - Technical Deviations and commercial deviations sheet (if, any) as per Annexure-II (Cost of Withdrawal of Deviation).
 - Price bid in e-procurement portal.
 - Documents as per Make in India order
 - Along with your offers, please submit a copy of this letter duly signed & stamped on each page as token of acceptance of all terms & instructions conveyed.
 - Un-Priced price schedules (format) duly filled in 'Quoted' or 'Q' in each column/row.

Note: Tenderer must submit UN-PRICED Price formats duly filled mentioning the word "QUOTED" in place of actual price. The actual price is to be filled in separately and submitted in price bid.

Thanking You.

Yours faithfully,
For and on behalf of BHEL

JITENDER SAINI
(DY MGR/PG-I/BHEL-PEM)

Enclosures:

1. Enquiry Letter with Terms & Conditions (This letter).

Jitender Saini
DY. MGR/PG-I, BHEL/PS-Project Engineering Management,
Power Project Engineering Institute,
Plot no. 25, Sector – 16A, Noida (UP) 201301, INDIA
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2. Annexure A to NIT for Delivery terms
3. Technical Specification (Ref. No. PE-TS-421-507-E016, Rev.0).
4. Technical PQR
5. Financial PQR
6. Annexure I for Price Schedule - (Main supply and E&C)
7. Price Schedule - III (Break up of Main supply)
8. Annexure-II for cost of withdrawal of Deviations
9. SCC Rev 01 for 2X660 MW BIFPCL MAITREE KHULNA STPP.
10. PSER GCC for Service (E&C).
11. PSER SCC for Service (E&C).
12. Format for submission of vendor credentials.
13. Annexure-R to RBI circular no. FED.CO.TRADE (EXD)/3543/05.11.001/2017-18 dtd. 18.10.2017.
14. Flowchart for BIDA approval in Bangladesh.
15. Currency Matrix.
16. Annexure G Govt Notification reg. GST export packages
17. Annexure-H List of Helpdesk Nos. of E-procurement service providers.
18. Instructions for packing list
19. Project Information
20. HSE Guidelines
21. Reverse Auction Guidelines