



A Maharatna Company  
ISO 9001 Company  
ISO 50001 Company

பாரத் ஹெவி இலெக்ட்ரிகல்ஸ் லிமிடெட்  
भारत हेवी इलेक्ट्रिकल्स लिमिटेड  
**Bharat Heavy Electricals Limited**  
(A Government of India Enterprise)  
High Pressure Boiler Plant  
Tiruchirappalli - 620 014

## MATERIALS MANAGEMENT

4<sup>th</sup> Floor, 24 Building, HPBP, BHEL, Thiruverumbur, Trichy-14  
Phone: 0431 - 257 8109, 7446; E-mail: kevin@bhel.in, mohann@bhel.in; [www.bhel.com](http://www.bhel.com)

### NOTICE INVITING e-TENDER

Ref: BHEL/1702100030

17.02.2021

Dear Sir/ Ma'am,

Ref : Tender No. 1702100030 dt 17.02.2021

Subject : Two-part **e-Tender** Inviting Techno-commercial (Part-I) and Price bids (Part-II) for Supply of Pneumatic Tubing Fittings for NTPC & DVC projects.

Kindly submit your competitive offer as per the terms and conditions given in the tender document through BHEL's e-Procurement portal <https://eprocurebhel.co.in/> only.

|                                                 |                                                                                                              |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Last date/ time for receipt of tender           | 10:00 Hrs on dt. 27.02.2021                                                                                  |
| Date/ time of opening of Techno-commercial bids | 14:30 Hrs on dt. 27.02.2021<br>Change in opening date, if any, will be intimated later.                      |
| Date of price bid opening                       | The date/ time of price bid opening will be intimated to the techno-commercial qualified bidders separately. |

This two part e-tender consists of the following documents:

1. Annexure A -Techno - commercial terms and conditions
2. No Deviation Format
3. CA certificate format for MSE vendors
4. PQR documents

#### General Instructions

- The tender documents shall be deemed to form an integral part of the purchase order.
- Tender can be cancelled at any stage due to unavoidable circumstances.
- Bidders are advised not to wait till the last minutes w.r.t tender closing time to submit their offer to avoid complications related with internet connectivity / network problem/ power failure etc.
- Bidders are advised take due care while quoting the technical and price bids forms in the e-Procurement system. Bidders, those who tampers with tendering procedure affecting ordering process or misusing the technical information of the tender document or withdrawing their offer after price bid opening, will be penalized as per BHEL guidelines on suspension of business dealings with suppliers/ contractors. Abridged version of the guideline is available in [www.bhel.com](http://www.bhel.com).

- Bidders who have been suspended or black listed or issued with “Show Cause Notice” by BHEL, Tiruchirappalli or any other unit or GOI should declare the same in the tender. Even during the course of evaluation/ finalization of tender, if it is found that some of the parties are black listed/ barred from business transaction/ under business hold, BHEL will not consider them for further participation in the tender.
- Bidder to submit the complete set of tender documents with sign/seal on all pages. It is advised that all the documents to be submitted, are kept scanned or converted to PDF format in a separate folder on your computer before starting online submission.
- The offers are subject to the acceptance by our Customer. Part-I bid will be opened & techno-commercially evaluated, however, the Part-II will be opened, only if the vendor is acceptable to BHEL/Customer; else their offer is liable to be rejected.
- **DISCLAIMER CLAUSE:** Neither the Organization (Bharat Heavy Electricals Ltd.) nor the e-Procurement service provider is responsible for any failure of submission of bids, due to failure of internet or other connectivity problems or reasons thereof.

Thanking you,

For **Bharat Heavy Electricals Limited**

**Kevin Ark Kumar**

Manager / Materials Management

Fourth floor, 24 Building

B.H.E.L., Tiruchirappalli – 620 014, Tamil Nadu

Phone: 0431-2578109 / Email: kevin@bhel.in

## ANNEXURE - A

TECHNO - COMMERCIAL TERMS AND CONDITIONS

|                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|------|--------------------------------------------------------------------|-------------------------|
| Description of the Material:                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | PNEUMATIC TUBING FITTINGS FOR COAL FIRED THERMAL POWER PLANT                |      |                                                                    |                         |
| BHEL Tender No. & Date                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1702100030 dt 17.02.2021                                                    |      |                                                                    |                         |
| GENERAL INFORMATION                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| IMPORTANT INSTRUCTION: Interested bidders / Suppliers shall submit their offer through e-Procurement mode at <a href="https://eprocurebhel.co.in">https://eprocurebhel.co.in</a> . Offers in any other mode will not be accepted.                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| The bidder has to keep track of any changes by viewing the Corrigendum's Issued by BHEL on time-to- time basis in the E-Procurement platform. The Company calling for tenders shall not be responsible for any claims/problems arising out of this. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| Sl. No.                                                                                                                                                                                                                                             | Terms and conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                             |      | Vendor's confirmation                                              |                         |
| 1                                                                                                                                                                                                                                                   | <b><u>PRE-QUALIFICATION REQUIREMENT for Instrument/Pneumatic Fittings</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                             |      | <b><u>Reply</u></b>                                                |                         |
|                                                                                                                                                                                                                                                     | i. Vendor should have supplied similar or higher size/rating of Fittings to coal fired Thermal Power Plants for outdoor applications in the past 5 years, from the date of techno-commercial bid opening. Vendor to confirm and submit the purchase order copies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                             |      | <b><u>Yes / No</u></b><br><b>PO Copies Attached / Not Attached</b> |                         |
|                                                                                                                                                                                                                                                     | ii. Vendor should have manufacturing facility & capability for the Engineering, Design and supply of Fittings. Vendor shall furnish documental evidence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                             |      | <b>Attached / Not Attached</b>                                     |                         |
| 1 a                                                                                                                                                                                                                                                 | SL No.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | DESCRIPTION                                                                 | UNIT | QTY                                                                | Quoted/ Not Quoted      |
|                                                                                                                                                                                                                                                     | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | THREE PIECE UNION SIZE: 3/4" NB-SW,CLASS 3000, MATERIAL: A105               | NO   | 72.00                                                              |                         |
|                                                                                                                                                                                                                                                     | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | CONNECTOR SIZE: 1" NPT(M) X 1", NB-SW, MATERIAL: SS304                      | NO   | 38.00                                                              |                         |
|                                                                                                                                                                                                                                                     | 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | THREE PIECE UNION 1" NB-SW,CLASS 3000, MATERIAL: SS304                      | NO   | 21.00                                                              |                         |
|                                                                                                                                                                                                                                                     | 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | NIPPLE, SIZE: 1" NPT(M)X 1" NPT(M), SCH-40, MATERIAL: SS316                 | NO   | 37.00                                                              |                         |
|                                                                                                                                                                                                                                                     | 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | THREE PIECE UNION, SIZE: 1" NPT(F) X 1" NPT(F), CLASS 3000, MATERIAL: SS316 | NO   | 21.00                                                              |                         |
|                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | TOTAL                                                                       |      | 189.00                                                             |                         |
| • Kindly write Quoted or Not Quoted. Do not mention the price here.                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| Technical Specification: As per Enquiry Item description                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| Quality Plan: Vendor Quality Plan                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| Deviations, if any, may be indicated in the Sub-Delivery Enquiry Deviation Format.                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |      |                                                                    |                         |
| 2                                                                                                                                                                                                                                                   | Firm Price: The quoted / finalised rates shall be Firm till execution of the supplies. Vendor has to quote price according to the requirement as detailed in the attached technical documents. Unless there is a change in technical specification from BHEL side, impact price will not be allowed.<br><br>➤ BHEL will finalize the rates through price bid opening. Hence, Tenderers are requested to give their best prices at the first instant itself.<br>➤ In the event of the final L1 prices are not reasonable / acceptable to BHEL; BHEL also may resort to short closure of this Tender.<br>➤ In case of more than one L1 bidders, BHEL will get fresh revised reduced price bids from all such L1 bidders & ranking will be decided based on these revised bids. The new rates quoted should be lower than their previous L1 rates. If L1 could not be decided by this process, ranking will be decided by draw of lots in the presence of all such L1 bidders<br><br>Any pre-bid query, kindly contact: Mr. Kevin Ark Kumar, Manager/Materials Management/BOI Tel: 0431-2578109, email: <a href="mailto:kevin@bhel.in">kevin@bhel.in</a> ; Mr. N Mohan, Asst./Engineer/Materials Management/BOI Tel: 0431-2577446, email: <a href="mailto:mohann@bhel.in">mohann@bhel.in</a> and get your queries cleared before submitting the offer in EPS. Rates once quoted in the online in the Enterprise Procurement System (EPS) cannot be changed after due date shall remain final. |                                                                             |      |                                                                    | Accepted / Not Accepted |
| 3                                                                                                                                                                                                                                                   | The tender is floated as a Single Package. Vendor has to quote for all the items.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                             |      |                                                                    | Quoted / Not Quoted     |
| 4                                                                                                                                                                                                                                                   | Delivery term: F.O.R BHEL Stores Trichy Basis inclusive of Packing & Forwarding and Freight Insurance will in BHEL Scope                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                             |      |                                                                    | Accepted / Not Accepted |
| 5                                                                                                                                                                                                                                                   | Payment term: 100% NEFT after 60 days of receipt & acceptance at Stores                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                             |      |                                                                    | Accepted / Not Accepted |
| 6                                                                                                                                                                                                                                                   | Deviation in Payment Terms: Any deviation in the above Payment Terms (Sl No. 5), any other conditions in payment terms or any other payment term will not be accepted and offers are liable to be commercially rejected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                             |      |                                                                    | Noted                   |

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| 7  | <b>Liquidated damages:</b> Delivery of the goods specified in the purchase order should be made within the time prescribed. Failure to dispatch the materials in time as per the delivery quoted in our Purchase Order would make the supplier liable to an un-conditional LD at the rate of 0.5% of the Total order value per week of the delay or part thereof, subject to a maximum of 10% of the total order value.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Accepted /<br>Not Accepted |
| 8  | <b>Loading Criteria LD / Penalty:</b> Any deviation on BHEL LD / Penalty clause, loading (Basic material Value) will be applied to the extent to which it is not agreed by the bidder. LD is for Total Order Value and not for undelivered goods. If LD for undelivered portion is only acceptable then a loading of 10% on Basic Material Value will be applied.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Noted                      |
| 9  | <b>Guarantee / Warranty Period :</b> Guarantee clause 18 months from the date of supply or 12 months from the date of actual put in use, whichever is earlier.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Accepted /<br>Not Accepted |
| 10 | <b>Deviation in Guarantee / Warranty Period:</b> No Deviation is permitted. If still vendor offered any deviation on the Guarantee / warranty period. Their offer will be rejected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Noted                      |
| 11 | <b>Delivery Period:</b> BHEL standard delivery is <u>Eight weeks from document approval</u> . Vendor quoted delivery period shall include all activities i.e. manufacturing / production, Inspection, Packing, Forwarding, dispatch.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Accepted /<br>Not Accepted |
| 12 | <b>Validity:</b> 90 days from techno commercial bid opening date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Accepted /<br>Not Accepted |
| 13 | <p><b>RISK PURCHASE:</b> In case of abnormal delays (beyond the maximum late delivery period as per LD clause) or non-fulfilment of any other terms and conditions given in work order, BHEL may cancel the work order in full or part thereof, and may also make a contract of such work/service from elsewhere / alternative source at the risk and cost of the original contractor. BHEL will take all reasonable steps to complete the contract obligations from alternate source at optimum cost. If bidder does not agree to the above Risk Purchase Clause, BHEL reserves the right to reject the offer. In case for compelling reasons BHEL accepts the offer without acceptance of this clause by the bidder and in the eventuality of Risk Purchase, appropriate action will be taken as per BHEL extant rules. This will be without prejudice to any other right of BHEL under the contract. Risk &amp; cost clause, in line with conditions of contract may be invoked in any of the following cases:</p> <ol style="list-style-type: none"> <li>1. Contractor's poor progress of the work vis-à-vis execution timeline as stipulated in the contract, backlog attributable to contractor/ supplier including unexecuted portion of work/ supply does not appear to be executable within balance available period (#) considering its performance of execution.</li> <li>2. Withdrawal from or abandonment of the work by contractor before completion of the work as per contract.</li> <li>3. Non completion of work / Non-supply by the contractor within scheduled completion/delivery period as per contract or as extended from time to time, for the reason attributable to the contractor.</li> <li>4. Termination of contract on account of any other reason (s) attributable to contractor.</li> <li>5. Assignment, transfer, subletting of contract without BHEL's written permission resulting in termination of Contract or part thereof by BHEL.</li> <li>6. Non-compliance to any contractual condition or any other default attributable to contractor.</li> </ol> <p>Risk and Cost amount against balance work will be calculated as follows:<br/> <math>\text{Risk \&amp; Cost Amount} = [(A-B) + (A \times H/100)]</math><br/> Where,<br/> A= Value of Balance scope of Work/ Supply (*) as per rates of new contract<br/> B= Value of Balance scope of Work/ Supply (*) as per rates of old contract being paid to the contractor/ supplier at the time of termination of contract i.e. inclusive of PVC &amp; ORC, if any.<br/> H = Overhead Factor to be taken as 5<br/> In case (A-B) is less than 0 (zero), value of (A-B) shall be taken as 0 (zero).<br/> *(Balance scope of work/ supply)<br/> Difference of Contract Quantities and Executed Quantities as on the date of issue of Letter for 'Termination of Contract', shall be taken as balance scope of Supply for calculating risk &amp; cost amount. Contract quantities are the quantities as per original contract. If, Contract has been amended, quantities as per amended Contract shall be considered as Contract Quantities.<br/> Items for which total quantities to be executed have exceeded the Contract Quantities based on drawings issued to contractor from time to time till issue of Termination letter, then for these items total Quantities as per issued drawings would be deemed to be contract quantities.<br/> Substitute/ extra items whose rates have already been approved would form part of contract quantities for this purpose. Substitute/ extra items which have been executed but rates have not been approved, would also form part of contract quantities for this purpose and rates of such items shall be determined in line with contractual provisions. However, increase in quantities on account of additional scope in new tender shall not be considered for this purpose.<br/> NOTE: In case portion of work is being withdrawn, contract quantities pertaining to portion of work withdrawn shall be considered as 'Balance scope of work/supply' for calculating Risk &amp; Cost amount.</p> | Accepted /<br>Not Accepted |
| 14 | GST DETAILS, BHEL TRICHY GST No. 33AAACB4146P2ZL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Noted                      |
| 15 | Please mention your GSTIN Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                            |
| 16 | HSN Codes for Quoted Material:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                            |
| 17 | Applicable GST Rate:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                            |
| 18 | Implementation of GST<br>For supplies after implementation of New GST Return System i.e. from 01/10/2019, the following conditions will                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                            |

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|    | <p>apply and supplier shall fully comply to the below points.</p> <p>Indigenous suppliers:</p> <ol style="list-style-type: none"> <li>1. Response to Tenders for Indigenous supplier will be entertained only if the vendor has a valid GST registration No (GSTIN) which should be clearly mentioned in the offer. If the dealer is exempted from GST registration, a declaration with due supporting documents need to be furnished for considering the offer. Dealers under composition scheme should declare that he is a composition dealer supported by the screen shot taken from GST portal. The dealer has to submit necessary documents if there is any change in status under GST.</li> <li>2. Supplier shall mention their GSTIN in all their invoices (incl. credit Notes, Debit Notes) and invoices shall be in the format as specified/prescribed under GST laws. Invoices shall necessarily contain Invoice number (in case of multiple numbering system is being followed for billing like SAP invoice no, commercial invoice no etc., then the Invoice No. which is linked/uploaded in GSTN network shall be clearly indicated), Billed to party (with GSTIN) &amp; Shipped to party details, item description as per PO, Quantity, Rate, Value, applicable taxes with nomenclature (like IGST, SGST, CGST &amp; UTGST) separately, HSN/ SAC Code, Place of Supply etc.</li> <li>3. All invoices shall bear the HSN Code for each item separately (Harmonized System of Nomenclature)/ SAC code (Services Accounting Code).</li> <li>4. Invoices will be processed only upon completion of statutory requirement and further subject to following: <ol style="list-style-type: none"> <li>a. Vendor declaring such invoice in Form GST ANX-1</li> <li>b. Receipt of Goods or Services and Tax invoice by BHEL</li> </ol> </li> <li>5. As the continuous uploading of tax invoices in GSTN portal (in GST ANX-1) is available for all (i.e. both Small &amp; Large) tax payers under proposed new GST Return System, all invoices raised on BHEL may be uploaded immediately in GST portal on despatch of material /rendering of services. The supplier shall ensure availability of Invoice in GST portal before submission of invoice to BHEL. Invoices will be admitted by BHEL only if the invoices are available in GSTN portal (in BHEL's GST ANX-2).</li> <li>6. In case of discrepancy in the data uploaded by the supplier in the GSTN portal or in case of any shortages or rejection in the supply, then BHEL will not be able to avail the tax credit and will notify the supplier of the same. Supplier has to rectify the data discrepancy in the GSTN portal or issue credit note or debit note (details also to be uploaded in GSTN portal) for the shortages or rejections in the supplies or additional claims, within the calendar month informed by BHEL.</li> <li>7. In cases where invoice details have been uploaded by the vendor but failed to remit the GST amount to GST Department (Form PMT-08 or Form GST RET-01 to be submitted) within stipulated time, then GST paid on the invoices pertaining to the month for which GST return not filed by the vendor will be recovered from the vendor along with the applicable interest (currently 24% p.a) and all subsequent bills of the vendor will not be processed till filing of the GST return by the vendor</li> <li>8. In case GST credit is denied to BHEL due to non-receipt or delayed receipt of goods and/ or tax invoice or expiry of timeline prescribed in GST law for availing such ITC, or any other reasons not attributable to BHEL, GST amount claimed in the invoice shall be disallowed to the vendor.</li> <li>9. Where any GST liability arising on BHEL under Reverse Charge (RCM), the vendor has to submit the invoices to BHEL well within the timeline prescribed in GST Law, to enable BHEL to discharge the GST liability. If there is a delay in submission of invoice by the vendor resulting in delayed payment of GST by BHEL along with Interest, then such Interest payable or paid shall be recovered from the vendor.</li> <li>10. Under GST regime, BHEL has to discharge GST liability on LD recovered from suppliers/contracts. Hence applicable GST shall also be recoverable from suppliers/contractors on LD amount. For this Tax Invoice will be issued by BHEL indicating the respective supply invoice number.</li> <li>11. GST TDS will be deducted as per Section 51 of CGST Act 2017 and in line with Notification 50/2018 - Central Tax dated 13.09.2018. GST TDS certificate which will be generated in GST portal subsequent to vendor accepting the TDS deduction in the GST portal, will be issued to the vendor.</li> </ol> | Noted                       |
| 19 | <p><b>Unregistered BHEL (Non-PMD) vendors</b> for this item should submit the filled in supplier registration forms (SRF) available in the BHEL website <a href="https://supplier.bhel.in">https://supplier.bhel.in</a> and the other required documents called for in the SRF as a parallel activity. The hard copy of the submitted SRF shall be submitted to SDC Dept. without fail. The same shall be scrutinized as per BHEL evaluation procedures</p> <p>iii. The contact details of SDC are as below:<br/>Officer I/C, SDC / MM, 4th Floor, Building 24,<br/>BHEL, Trichy - 620014 Ph. No.: 0431-2577301, nalini.s@bhel.in</p> <p>Registered BHEL PMD vendors (for this item / Matl Gp) need not submit the SRF and this point is not applicable.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Accepted /<br>Not Accepted  |
| 20 | <p>Subsequent to tender opening, the Part-2 bids (Price bid) of the Supplier will be opened subject to Customer acceptance and techno-commercial (Part-1 bid) qualification.</p> <p>Acceptance required for the same</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Accepted /<br>Not Accepted  |
| 21 | <p><b>Document Submission: Along with the offer:</b></p> <ol style="list-style-type: none"> <li>1. All the technical documents which have been attached along with our enquiry i.e Specification, Drgs, QP, Packing Procedure, Data Sheet etc, signature to be endorsed on all pages with company seal Technical documents &amp; Sub-delivery enquiry deviation format.</li> <li>2. Filled-in/signed Annexure-A, Commercial terms and conditions. (Mandatory for Commercial evaluation)</li> <li>3. If MSE vendor, please attach UAM No. along with CA Certificate or Udyam Regn No.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Submitted/<br>Not Submitted |

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| 22 | <p>Any deviation on technical/QP/packing requirements shall specifically be indicated in the “sub-delivery enquiry deviation format” attached along with the enquiry. Deviations / clarifications declared elsewhere will not be evaluated. <b>Also, any deviations from the commercial terms and conditions shall be clearly spelt out in this format itself.</b> Deviations / clarifications declared elsewhere will not be evaluated. Deviations taken, if any, by vendor as per our requirement above shall be clearly got accepted by BHEL in writing during enquiry stage itself. In the event of an order no deviations, unless accepted clearly by BHEL in writing during enquiry stage will be entertained and all other techno-commercial requirements will be binding on successful bidder and failure to execute the terms will lead to disciplinary action by BHEL against the said bidder.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Accepted / Not Accepted |
| 23 | <p><b>BENEFITS TO MSE VENDOR:</b><br/>MSE suppliers can avail the intended benefits only if they submit along with the offer, attested/notarized copies of either</p> <ol style="list-style-type: none"> <li>1. Valid NSIC certificate or EM II certificate along with CA certificate applicable for the year, certifying quantum of investment in plant and machinery within the permissible limits as per the act for relevant status (MICRO or SMALL) where the deemed validity of EM II is over. <b>OR</b></li> <li>2. <b>Udyog Aadhaar Memorandum No. &amp; CA Certificate</b> applicable for the year, certifying quantum of investment in plant and machinery within the permissible limits as per the act for relevant status.</li> </ol> <p>Date to be reckoned for determining the deemed validity will be the last date of technical bid submission (Part 1 in case of two part bid). <b>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, in case of any deficiency in the above required documents or in case the 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 even if submitted earlier.</b><br/>Documents should be notarized or attested by a Gazetted officer.<br/><b>For Package basis (Non-Splitable):</b><br/>i. If L1 vendor is an MSE vendor entire project package will be ordered on L1 vendor.<br/>ii. If a Non MSE vendor is coming as L1, then L1 prices will be counteroffered on MSE vendor who is quoting price within the price band L1+15% and if they are agreeing, purchase order will be awarded for full/complete supply of total tendered value to MSE.<br/>iii. If more than one MSE vendors are available in the L1+15% price band then lowest of the MSE vendor will be selected for counteroffering. If lowest MSE vendor is not accepting it will be counteroffered to the next MSE vendor in the price band and so on.<br/>iv. Finally if none of the MSE vendor in the price band is not accepting, it will be ordered on L1 non MSE vendor.<br/><b>For Item wise evaluation (Splitable):</b><br/>If a Non MSE vendor is coming as L1, then L1 prices will be counteroffered on MSE vendor who is quoting price within the price band L1+15% and if they are agreeing, purchase order will be awarded for 25% of the tendered quantity.<br/>➤ 3% reservation for women owned MSEs, within the above mentioned 25% reservation.<br/>➤ 6.25% reservation from MSE owned by SC / ST entrepreneurs, within the above mentioned 25% reservation.<br/>In case of more than one such MSE, the supply shall be shared proportionately.<br/>Payment for MSE indigenous vendors will be as per MSMED Act, 2006.</p> | Accepted / Not Accepted |
| 24 | <p><b>Definitions of MSEs owned by SC/ST is under:</b></p> <ul style="list-style-type: none"> <li>• In case of proprietorship firm, proprietor must be SC/ST.</li> <li>• In case of partnership firm, the SC/ST partners must be holding at least 51% shares in unit.</li> </ul> <p><b>In case of private limited companies, at least 51% share must be held by SC/ST promoters.</b><br/>Authorised Offices to Issue SC/ST certificate. The caste/Tribe/Community certificate issued by the following authorities in the prescribed form for SCs/STs can be considered.</p> <ul style="list-style-type: none"> <li>• District Magistrate / Additional District Magistrate / Collector / Deputy Commissioner / Additional Deputy Commissioner / Deputy Collector / 1<sup>st</sup> class stipendiary magistrate / Sub divisional Magistrate / Taluka Magistrate / Executive magistrate</li> <li>• Chief Presidency magistrate / Additional chief presidency magistrate/Presidency magistrate.</li> <li>• Revenue Officer not below the rank of Tehsildar.</li> <li>• Sub-Divisional officer of the area where the individual and / or his family normally resides.</li> </ul> <p><b>To avail the benefits of MSE under SC/ST category, the related documents as stated above should be submitted along with tender documents.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Accepted / Not Accepted |
| 25 | <p>Vendors who have registered themselves as MSE, cannot claim the benefits unless they submit the CA Certificate &amp; UAM Registration copy along-with the EPS offer for each tender; failing which vendor shall not claim MSE benefits. As per Gazette Notification no. S.O. 2119(E) dated 26.06.2020 issued by Ministry of MSME regarding change in definition of Micro, Small &amp; Medium Enterprises (MSMEs) applicable w.e.f. 01.07.2020 as follows:<br/>Udyam Registration is a new process of MSME Registration launched by the Ministry of Micro, Small and Medium Enterprises on July 1, 2020.<br/>All existing enterprises registered under EM-Part-II or UAM or any other registration issued by any authority under the Ministry of MSME are required to register again on the Udyam Registration portal (<a href="https://udyamregistration.gov.in">https://udyamregistration.gov.in</a>). Such enterprises are required to apply and obtain Udyam Registration on or after 1st July 2020.<br/>On registration, an enterprise is assigned with a permanent identity number, known as “<b>Udyam Registration Number</b>”. An e-certificate, namely, “Udyam Registration Certificate” will be issued on completion of the registration process.<br/>The MSE status of existing enterprises registered prior to 30th June 2020 shall be valid only till 31st March 2021. (i.e.) <b>Udyam Registration Certificate</b> is mandatory for all MSME enterprises from 1st April 2021.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Noted                   |
| 26 | <p><b>The evaluation is on package basis, offers with partial quantity in a package will be rejected. L1 will be arrived on FOR Destination Value, inclusive of all taxes &amp; loading, if any.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Noted                   |

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| 27 | Any pre-bid queries / clarification / document requirement etc. shall be asked within 3-4 days of floating tender in EPS. Tender due date extension will not be given without valid reason. Tender due date extension request has to be given before due date / time along-with a valid reason.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Noted                                    |
| 28 | <b>PRICE IMPACT:</b><br>All the technical / commercial details given in the enquiry shall be taken care and offer shall be quoted accordingly. No price impact / implication will be accepted within the validity period.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Noted                                    |
| 29 | All the technical documents, if attached by BHEL along with the enquiry/ RFQ (Specification / Drawing / QP / Datasheet / Packing Procedure etc.) which are part of this e-tender, should bear your conformation / confirmation and sign with seal on each page. The same shall be scanned & attached as PDF files along with the offer for technical evaluation. (In case of Spares, reference PO is mentioned in the tender general notes, then technical documents need not be submitted, however, Deviation format mentioning the reference PO needs to be submitted)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Technical Docs Submitted / Not Submitted |
| 30 | Technical / commercial clarification, if any, will be initiated through EPS / email. Vendor to respond to the clarifications within 3 working days. If the vendor fails to respond, even after three reminders, then the vendor will be considered as non-responsive and is liable to be rejected. Please note that EPS generates auto email whenever clarification / tender event is scheduled. Vendor to keep track and respond immediately.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Noted                                    |
| 31 | <b>PO Acknowledgement:</b> Within 7 days from the date of receipt of scanned PO copy through email.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Accepted                                 |
| 32 | Document Submission after PO: Complete set of valid Documents as per BHEL format viz., Datasheet, GA drawing and QAP / RQP / VQP are to be submitted within 14 days from the date of receipt of PO (e-mail copy). If there is a delay in submission of valid documents within 14 days, the delay will be accounted for the calculation of LD.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Accepted                                 |
| 33 | Inspection notice period: Vendor shall raise inspection call to Third Party Inspection Agency / BHEL at least three working days, prior to the proposed date of inspection. Place shall be vendor Works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Accepted                                 |
| 34 | Vendor shall dispatch the consignment immediately after getting dispatch clearance from BHEL, subsequent delay will be accounted for calculation of LD.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Accepted                                 |
| 35 | <b>FORCE MAJEURE CLAUSE:</b> If, at any time during the continuance of Contract the performance in whole or in part by either party of any obligations under the Contract shall be prevented or delayed by reason of any War, Hostile acts of the public enemy Civil Commotion, Epidemics, or Acts of God (Floods, Storm/Cyclone, Hurricane, Earth Quake etc.) then provided notice of happening of any such event is given by either party to other within 7 days from the date of occurrence therefor neither party shall by reason of such event be entitled to terminate this Contract nor shall either party have any claim for damages against the other in respect of such non-performance and delay in performance under the contract shall be resumed as soon as practicable after such event has come to an end or ceased to exist. If the performance in whole or part of any obligation under the Contract is prevented or delayed by reason of any such event, claims for extension of time shall be granted for periods considered reasonable by BHEL, subject to prompt notification by the contractor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Accepted                                 |
| 36 | In the event of PO, the reference date for LD calculation will be date of final inspection Agency's signed Inspection report / Test certificates for Ex-Works & FOB contracts. The reference date for F.O.R contracts will be Invoice date / Lorry way bill date LR date/ Railway Receipt date, whichever is later. In case E&C support, LD for delays attributable to vendor will be reckoned after two weeks from the date of readiness at Site & prior notice by BHEL.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Accepted                                 |
| 37 | <b>Fraud Prevention Policy</b><br>Suppliers involving in fraudulent practices or delayed supply (or) non-Supply will be dealt with provision as indicated in "Guidelines for Suspension of Business Dealings with Suppliers / Contractors" which is hosted in website <a href="http://www.bhel.com">www.bhel.com</a> . The offers of the bidders who are under suspension 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 web site <a href="http://www.bhel.com">www.bhel.com</a> .<br>1.0 Integrity commitment, performance of the contract and punitive action thereof:<br>1.1 Commitment by BHEL: BHEL commits to take all measures necessary to prevent corruption in connection with the tender process and execution of the contract. BHEL will during the tender process treat all Bidder(s) in transparent and fair manner, and with equity.<br>1.2 Commitment by Bidder / Supplier / Contractor:<br>1.2.1. The bidder / supplier / contractor commit to take all measures to prevent corruption and will not directly or indirectly influence any decision or benefit which he is not legally entitled to nor will act or omit in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India.<br>1.2.2. The bidder / supplier / contractor will, when presenting his bid, disclose any and all payments he has made, and is committed to or intends to make to agents, brokers or any other intermediaries in connection with the award of the contract and shall adhere to relevant guidelines issues from time to time by Govt. of India / BHEL.<br>1.2.3. The bidder / supplier / contractor will perform / execute the contract as per the contract terms & Conditions and will not default without any reasonable cause, which causes loss of business / money / reputation, to BHEL.<br>If any bidder / supplier / contractor during pre-tendering / tendering / post tendering / award / execution / post-execution stage indulges in mal-practices, cheating, bribery, fraud or and other misconduct or formation of cartel so as to influence the bidding process or influence the price or acts or omits in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India, then action may be taken against such bidder / supplier / contractor as per extant guidelines of the company available on <a href="http://www.bhel.com">www.bhel.com</a> and / or under applicable legal provisions. | Noted                                    |
| 38 | <b>Inspection &amp; testing requirements:</b> Inspection and testing requirements are to be carried out as per the specification and BHEL/customer approved QAP and all test certificates are to be submitted in complete set as indicated in our specification /QAP. In case of Vendor QP the same shall be submitted for approval along with the offer.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Noted                                    |

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| 39 | <b>Repair &amp; replacements:</b> Within the guarantee period vendor has to replace / rectify the defective/ damaged items on free of cost within a reasonable time of reporting from our end. All incidental charges like freight, insurance and customs duty / GST are to vendor account only. The defective parts and components shall be collected by your Indian agent or / authorized person, only after completing the replacement / repairs. The defective parts / components will not be returned back to vendor works by us due to procedural problems.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Accepted |
| 40 | <b>BHEL reserves the right to cancel / modify the tender, if the need so arises, without assigning any further notice or reason therefore.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Accepted |
| 41 | <b>ARBITRATION &amp; CONCILIATION:</b> Except as provided elsewhere in this Contract, in case amicable settlement is not reached between the Parties, in respect of any dispute or difference; arising out of the formation, breach, termination, validity or execution of the Contract; or, the respective rights and liabilities of the Parties; or, in relation to interpretation of any provision of the Contract; or, in any manner touching upon the Contract, then, either Party may, by a notice in writing to the other Party refer such dispute or difference to the sole arbitration of an arbitrator appointed by Head of the BHEL Unit/Region/Division issuing the Contract. The Arbitrator shall pass a reasoned award and the award of the Arbitrator shall be final and binding upon the Parties. Subject as aforesaid, the provisions of Arbitration and Conciliation Act 1996 (India) or statutory modifications or re-enactments thereof and the rules made thereunder and for the time being in force shall apply to the arbitration proceedings under this clause. The seat of arbitration shall be (the place from which the contract is issued). The cost of arbitration shall be borne as per the award of the Arbitrator.<br>Subject to the arbitration in terms of Clause above, the Courts at TRICHY shall have exclusive jurisdiction over any matter arising out of or in connection with this Contract. Notwithstanding the existence or any dispute or differences and/or reference for the arbitration, the contractor shall proceed with and continue without hindrance the performance of its obligations under this contract with due diligence and expedition in a professional manner except where the Contract has been terminated by either Party in terms of this Contract. In case of contract with Public Sector Enterprise (PSE) or a Government Department, the following shall be applicable: In the event of any dispute or difference relating to the interpretation and application of the provisions of the Contract, such dispute or difference shall be referred by either Party for arbitration to the sole arbitrator in the Department of Public Enterprises to be nominated by the Secretary to the Government of India in-charge of the Department of Public Enterprises. The Arbitration and Conciliation Act, 1996 shall not be applicable to arbitration under this clause. The award of the arbitrator shall be binding upon the Parties to the dispute, provided, however, any Party aggrieved by such award may make further reference for setting aside or revision of the award to the Law Secretary, Department of Legal Affairs, Ministry of Law and Justice, Government of India. Upon such reference the dispute shall be decided by the Law Secretary or the Special Secretary or Additional Secretary when so authorized by the Law Secretary, whose decision shall bind the Parties hereto finally and conclusively. The Parties to the dispute will share equally the cost of arbitration as intimated by the Arbitrator. | Noted    |
| 42 | <b>JURISDICTION:</b> In case of any suit or other legal proceedings arising under or relating to this Contract, the courts at Trichy, Tamil Nadu only shall have the Jurisdiction and is only after exhausting the aforesaid arbitration clause.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Noted    |
| 43 | <b>SUSPENSION OF BUSINESS DEALINGS WITH SUPPLIERS / CONTRACTORS:</b> Penal action can be initiated on the suppliers / Contractors in line with extant 'Guidelines for Suspension of Business Dealings with Suppliers/ Contractors'. The abridged version of extant 'Guidelines for suspension of business dealings with suppliers/ contractors' has been uploaded on <a href="http://www.bhel.com">http://www.bhel.com</a> on "supplier registration page".<br>The offers of the bidders who are under suspension 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 web site <a href="http://www.bhel.com">www.bhel.com</a> .<br>1.0 Integrity commitment, performance of the contract and punitive action thereof:<br>1.1. Commitment by BHEL:<br>BHEL commits to take all measures necessary to prevent corruption in connection with the tender process and execution of the contract. BHEL will during the tender process treat all Bidder(s) in a transparent and fair manner, and with equity.<br>1.2. Commitment by Bidder/ Supplier/ Contractor:<br>1.2.1. The bidder/ supplier/ contractor commit to take all measures to prevent corruption and will not directly or indirectly influence any decision or benefit which he is not legally entitled to nor will act or omit in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India.<br>1.2.2. The bidder/ supplier/ contractor will, when presenting his bid, disclose any and all payments he has made, and is committed to or intends to make to agents, brokers or any other intermediaries in connection with the award of the contract and shall adhere to relevant guidelines issued from time to time by Govt. of India/ BHEL.<br>1.2.3. The bidder/ supplier/ contractor will perform/ execute the contract as per the contract terms & conditions and will not default without any reasonable cause, which causes loss of business/ money/ reputation, to BHEL.<br>If any bidder/ supplier/ contractor during pre-tendering/ tendering/ post tendering/ award/ execution/ post-execution stage indulges in mal-practices, cheating, bribery, fraud or and other misconduct or formation of cartel so as to influence the bidding process or influence the price or acts or omits in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India, then, action may be taken against such bidder/ supplier/ contractor as per extant guidelines of the company available on <a href="http://www.bhel.com">www.bhel.com</a> and/or under applicable legal provisions.                                                                                                                                                                                                                                                                                         | Noted    |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |       |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 44 | <p><b>SECRECY OF CONFIDENTIAL INFORMATION:</b> The Contractor undertakes and agrees that he/it will not disclose or reveal in part or full the proprietary/confidential information, which terms shall mean and include patents, trademarks, service marks, registered designs, copyright, design rights, know-how, confidential information, trade and business names and any other similar protected information of BHEL received during negotiation or currency of the contract to any third party or governmental authorities without written permission from BHEL. In the event of termination or expiry of the contract, the contractor shall return all proprietary/confidential information to BHEL. This clause shall survive termination or expiry of the contract.</p> <p>All the input details: transmittals and sample drawings supplied for preparation of drawings are confidential information of BHEL for specific purpose only. The contractor shall never pass on / part with the information to anybody and shall maintain the secrecy of the information. As soon as the bills are certified by BHEL, all the relevant drawing files shall be erased from PCs and shall not be made use under any circumstances.</p> <p>BHEL reserves the right to initiate appropriate action including legal proceeds / termination of contract, recovery of damages, penalties etc., if the contractor is found guilty / wrong usage of the documents given by BHEL for any unauthorised activity</p> | Noted |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|

By signing this Annexure, the vendor consents that the terms & conditions accepted, in this Annexure-A alone, shall be binding between BHEL and the Vendor; and no other terms quoted / mentioned, elsewhere in the Offer / Quotation will be considered / accepted by BHEL.



429-024

**PURCHASE / MM / BOI  
ENQUIRY DEVIATION**

PAGE

1 OF 1

**SCHEDULE OF DEVIATION TO  
BOI ENQUIRY NO:****1702100030****DATE****17.02.2021****DESCRIPTION****Pnumatic Tubing Fittings as per Enquiry****SPECIFICATION****N/A****QUALITY PLAN****N/A****PACKING PROCEDURE****VENDOR STANDARD****DOCUMENT REFERENCE****BHEL ENQ. CALLED FOR****FIRM'S ALTERNATIVE OFFER**

CERTIFIED THAT OTHER THAN THE ABOVE DEVIATIONS, WE ARE ACCEPTING ALL THE OTHER SPECIFICATIONS AND REQUIREMENTS IN FULL TO YOUR ENQUIRY.

STATION:

DATE:

SIGNATURE OF FIRM'S REPRESENTATIVE

FIRM SEAL

- NOTE 1. Deviations should be taken only in the extreme case.  
2. If necessary, use additional sheets with page control number.

**Certificate by Chartered Accountant on letter head**

This is to Certify that M/s .....  
 (hereinafter referred to as 'company') having its registered office at .....  
 is registered under MSMED Act 2006,  
 (Entrepreneur Memorandum No (Part—II) ..... dtd: .....  
 Category: ..... (micro/small)). (Copy enclosed).

Further verified from the Books of Accounts that the investment of the company as per the latest audited financial year as per MSMED Act 2006 is as follows:

1. **For Manufacturing Enterprises:** Investment in plant and machinery (i.e. original cost excluding land and building and the items specified by the Ministry of Small Scale Industries vide its notification No.S.O.1722(E) dated October 5, 2006;  
 Rs. .... Lacs
2. **For Service Enterprises:** Investment in equipment (original cost excluding land and building and furniture, fittings and other items not directly related to the service rendered or as may be notified under the MSMED Act, 2006:  
 Rs. .... Lacs

**(Strike off whichever is not applicable)**

The above investment of Rs. .... Lacs is within permissible limit of Rs. .... Lacs for .... Micro / Small **(Strike off which is not applicable)** Category under MSMED Act 2006.

Or

The company has been graduated from its original category (Micro/ Small) **(Strike off which is not applicable)** and the date of graduation of such enterprise from its original category is ..... (dd/mm/yyyy) which is within the period of 3 years from the date of graduation of such enterprise from its original category as notified vide S.O. No. 3322(E) dated 01.11.2013 published in the gazette notification dated 04.11,2013 by Ministry of MSME.

Date

(Signature)

Name -

Membership number -

Seal of Chartered Accountant