

SPECIAL CONDITIONS OF THE CONTRACT			
S. NO.	TERMS & CONDITIONS	BHEL REQUIREMENT	Bidder 'S CONFIRMATION / REPLY
A	NAME & ADDRESS	Name, address, e-mail id, contact no.etc. of entity on whom order to be released in case of L ₁ .	
		The offer shall be from the manufacturer directly. Offer from agent will not be considered as valid offer and hence not considered for evaluation <u>Note:</u> BHEL shall deal directly with all Indian manufacturers.	
I	TECHNICAL TERMS		
1	DESCRIPTION, QUANTITY & SIZE	As per Enquiry (RFQ)	
2	SPECIFICATION	OE56110-R00 OE56132-R00 HY10170-R00 TDC:6:388 QA:AS:MAIT:01	
3	MATERIAL	As per above specifications	
4	QUALITY PLAN	Quality Plan enclosed along with the tender shall be followed QP NO.: MAIT:C&AHP: R4R5-R4R6 MAIT:AHP SILO: R4R5-R4R6 PS:MAITG:R676&R4R5	
5	PACKING & MARKING	As per BHEL Specification OE56110-R00, OE56132-R00, HY10170-R00. Packing Crate drawings – Annexure I Material for crate assemblies, stiffeners for safe transportation is in scope of vendor.	
6	INSPECTION & CERTIFICATION	Inspection inline with approved QAP , shall be organised by vendor using any of the following customer approved TPI agencies. a) TUV SUD South Asia b) Bureau Veritas India Limited (BVIL) c) Quality Evaluation & System Team Pvt Ltd. d) IR Class system and solutions pvt. Ltd. e) RITES f) TUV Rheinland (India) Pvt. Ltd. The offer shall be inclusive of the cost of all the inspection and certification charges by the TPIA. No separate inspection charges shall be quoted.	
7	RAW MATERIAL PURCHASE	Bidder shall procure raw material from Customer approved sources in line with specifications OE56110-R00; OE56132-R00; HY10170-R00; QA:AS:MAIT:01	
II	COMMERCIAL TERMS		
1	DISTRIBUTION OF QUANTITY BETWEEN L1 & L2	NIL	
2	TERMS OF DELIVERY	FOR Chennai Port <u>Consignee Address:</u> Engineer/Docks Bharat Heavy Electricals Ltd Near Marshalling Yard, Chennai Port trust Chennai 600 001 Ph No 044 25362247/25360446 - Mob 08680850932 E-mail trivedi@bhel.in	
2A		a) Freight & Insurance are in Bidder's scope and price quoted is inclusive of F & I. b) Date of Material Receipt Certificate (MRC) by BHEL Engineer/Docks, Chennai Port shall be considered as date of delivery.	
3	PACKING & FORWARDING CHARGES	P & F charges shall be inclusive in price.	
4	FRIEGHT & INSURANCE	By supplier up to delivery point	
5	Third Party Inspection Charges	The offer shall be inclusive of the cost of all the inspection and certification charges by the TPIA. No separate inspection charges shall be quoted.	
6	DELIVERY	3 months from LOI/ PO date. Note: a) For delivery period longer than those indicated above, shall be loaded by 0.5% per week or part there of during evaluation of offer. b) Delivery is critical for evaluation of offer. Offers with delivery period beyond one month grace period against the respective schedules may be liable for rejection.	(i) ____ Months

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7	MSE CLAUSE	"MSE suppliers can avail the intended benefits only if they submit along with the offer, attested copies of either EM II certificate having deemed validity (Five years from the date of issue of acknowledgement in EM-II) or valid NSIC certificate or EM II certificate along with attested copy of a CA certificate (Format enclosed as per Annexure – III where deemed validity of EM-II certificate of five years has expired) applicable for the relevant financial year (latest audited). Date to be reckoned for determining the deemed validity will be the date of bid opening (Part-I). Non submission of such documents will lead to consideration of their bid at par with other bidders. No benefit shall be applicable for this enquiry if any deficiency in the above required documents are not submitted before price bid opening. If the tender is to be submitted through E-Procurement portal, then the above required documents are to be uploaded on the portal. Documents should be notarized or attested by a Gazetted Officer."	
8	THREE-PART BID	Bidder shall submit their offer in three part bid system i.e. Part-1(Pre-qualification criteria bid), Part-2 (Techno-Commercial bid) and Part-3 (price bid) separately in three sealed covers indicating BHEL enquiry No. H6A1S31049 date: 30.09.2019 and tender due date clearly. All three covers shall be placed in a single cover bearing BHEL enquiry No. H6A1S31049 date: 30.09.2019 and tender due date clearly. Note: Pre-Qualification Criteria bid is evaluated first and the qualified bidder's Technical bids will be opened with due intimation to the qualified bidders.	
8A	PRE-QUALIFICATION CRITERIA BID	Pre-qualification Criteria bid shall consist of the following documents. A) Annexure-P1 B) Duly filled in Pre-Qualification Criteria (PQC) C) Supporting documents as per the PQC(Pre- Qualification Criteria)	
8B	TECHNO-COMMERCIAL BID	Techno-Commercial Bid shall essentially consist of: (i) Duly filled in signed copy of Special Contract Conditions (SCC). (ii) Duly filled in signed copy of Instructions to Bidder (ITB). (iii) Details as per Annexure-I,III,IV, V, VI (iv) Technical offer of the bidder inline with the tender specification. (v) Duly filled in Annexure-II (Non-Disclosure agreement) (vi) Signed copy of Priced Sheets without price. (vii) Filled in and signed Integrity Pact. All the above documents shall be duly authenticated by signature & official stamp on each page. Note: Bid shall be complete in all respects including all the documents / information required for techno-commercial evaluation. Incomplete offers shall be liable to rejection.	
8C	PRICE BID	Quoted price shall be on firm basis. Bidder shall quote prices strictly as per the enclosed price bid format.	
9	REVERSE AUCTION	BHEL reserves the right to go for Reverse Auction (RA) (Guidelines as available on www.bhel.com) instead of opening the sealed envelope price bid, submitted by the bidder. This will be decided after techno-commercial evaluation. Bidders to give their acceptance with the offer for participation in RA. Non-acceptance to participate in RA may result in nonconsideration of their bids, in case BHEL decides to go for RA. Those bidders who have given their acceptance to participate in Reverse Auction will have to necessarily submit 'Process compliance form' (to the designated service provider) as well as 'Online sealed bid' in the Reverse Auction. Non-submission of 'Process compliance form' or 'Online sealed bid' by the agreed bidder(s) will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/ contractors (as available on www.bhel.com). The bidders have to necessarily submit online sealed bid less than or equal to their envelope sealed price bid already submitted to BHEL along with the offer. The envelope sealed price bid of successful L1 bidder in RA, if conducted, shall also be opened after RA and the order will be placed on lower of the two bids (RA closing price & envelope sealed price) thus obtained. The bidder having submitted this offer specifically agrees to this condition and undertakes to execute the contract on thus awarded rates.	

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		If it is found that L1 bidder has quoted higher in online sealed bid in comparison to envelope sealed bid for any item(s), the bidder will be issued a warning letter to this effect. However, if the same bidder again defaults on this count in any subsequent tender in the unit, it will be considered as fraud and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/ contractors (as available on www.bhel.com). Details of Bidder's Representative participating in RA like Name, E-mail, Phone and Fax No.	
10	EVALUATION OF OFFERS	Item sl. Nos 1 to 4 shall be evaluated on overall L1 basis. Item sl. Nos 5 to 12 shall be evaluated item-wise L1 basis.	
11	GUARANTEE	Guarantee on the supplies for a period of 18 months from the date of dispatch or 12 months from the date of commissioning whichever is earlier.	
12	INTEGRITY PACT (IP)	(a) IP is a tool to ensure that activities and transactions between the Company and its Bidders / Contractors are handled in a fair, transparent and corruption free manner. A panel of Independent External Monitors (IEMs) have been appointed to oversee implementation of IP in BHEL. The IP as enclosed with the tender is to be submitted (duly signed by authorized signatory who signs in the offer) along with techno-commercial bid. Only those bidders who have entered into such an IP with BHEL would be competent to participate in the bidding. In other words, entering into the Pact would be a preliminary qualification. <u>Details of IEM for this tender is furnished below:</u> Name: Shri Arun Chandra Verma, IPS (Retd.) Address: Flat No. C-1204, C-Tower, Amrapali, Platinum Complex, Sector - 119, Noida (U.P.). E-mail: acverma1@gmail.com Name: Shri Virendra Bahadur Singh, IPS (Retd.) Address: H. No. B-5/64, Vineet Khand, Gomti Nagar, Lucknow - 226010 E-mail: vbsinghips@gmail.com (b) Please refer Section-8 of the IP for the Role and Responsibilities of IEMs. In case of any complaint arising out of the tendering process, the matter may be referred to the IEM mentioned in the tender. No routine correspondence shall be addressed to the IEM (phone / post / email) regarding the clarifications, time extensions or any other administrative queries, etc. on the tender issued. All such clarifications / issues shall be addressed directly to the tender issuing (procurement) department.	
13	PAYMENT	As per ITB-8	
14	EARNEST MONEY DEPOSIT (EMD)	EMD charges not applicable for quoting against this tender.	
15	TERMS & CONDITIONS	In case of any discrepancy between information furnished here and those furnished elsewhere in the bid, the information furnished in ITB only shall be considered, and those furnished else where shall be ignored.	