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## **Special terms & conditions for Enquiry no. E3763004**

**This item is to be procured only from Micro & Small enterprises (MSE), as defined in Public Procurement Policy 2012, issued by Ministry of Micro, Small and Medium Enterprises. Offer received from other than MSE supplier will not be considered.**

MSE suppliers can avail the intended benefit if they are Manufacturer of offered item (s) and submit valid MSE certificate (Udyam / NSIC etc.) along with the offer.

Please refer General terms and conditions of enquiry form no. BP200102C. If any deviations, please mention in your quotation otherwise it shall be taken that all terms and conditions are accepted by you.

1. Please quote your best rate through your DSC (Digital Signature Certificate) in our E-Tender system through <https://eprocurebhel.co.in/nicgep/app> on or before due date. Paper bid to be not accepted in E-Tender.

### **2. Delivery Terms: -**

Delivery Terms should be **F O R Destination** on Door delivery basis at CRX, BHEL Bhopal. The same is mentioned in Part – A (Techno-commercial bid) of your offer otherwise it shall be taken FOR destination. Offers on **F O R Destination** on Door delivery basis at CRX, BHEL Bhopal will only be accepted, **if you quote Ex-Works, freight by BHEL or Ex-Works, freight prepaid your quotation will be commercially rejected.**

### **3. Delivery Period / Lead Time: -**

We shall require the material as per delivery mentioned in enquiry. However, delivery may be quoted in number of days from the date of issue of PO/LOI. The delivery can further be reduced in case of urgent/emergency requirements. Bidders may indicate in their offer the quickest delivery period in number of days from the date of issue of PO. **If not mentioned in your quotation it shall be taken 60 days from date of purchase order.**

### **4. Sample: -**

Sample to be submitted along with technical bid for technical scrutiny and evaluation.

Note: Sample will not be returned to bidder.

Sample should be submitted to FSX Department, Block 7 Annexe, EW, Ground Floor, BHEL, Piplani, Bhopal – 462022.

**5. Test Certificate (TC): -**

Supplier to furnish Test Certificate (TC) at the time of each supply as mentioned in our enquiry and specification. In case non-receipt of TC with any supply, the supply is liable for rejection. Hence, any deviation for TC requirement be given in your quotation otherwise it is presumed that TC will be furnished with the supply as required.

**6. Quantity variation: -**

Quantity variation  $\pm 5\%$ .

**7.** Payment will be processed only after reflection of the invoice in GSTR 2A/2B.

**8.** Advance payment is not acceptable in any circumstances. Also, Overdue interest (ODI) is not acceptable to BHEL.

**9.** Any amount on account of recovery from consigner/supplier under any condition shall be liable to be adjusted against any amount payable to the consigner/supplier against any running bills.

**10. Un-registered suppliers of BHEL, Bhopal: -**

Suppliers who are not yet registered with BHEL, Bhopal must submit following documents for temporary registration with BHEL, Bhopal along with Part – A (Techno-commercial bid) of your offer: -

**(1) Copy of PAN No.**

**(2) Copy of GSTIN No.**

RTGS/EFT details as per BHEL format must be submitted immediately after placement of order who have yet not submitted to BHEL, Bhopal. Format of RTSG / EFT detail can be obtained from us or downloaded from link <https://bpl.bhel.com/mm/>

In the event of any Nodal Ministry prescribing higher or lower percentage of purchase preference and / or local content in respect of this procurement, same shall be applicable.

**11.** In the course of evaluation, if more than one bidder happens to occupy L-1 status, effective L- 1 will be decided by soliciting discounts from the respective L-1 bidders.

In case more than one bidder happens to occupy the L-1 status even after soliciting discounts, the L-1 bidder shall be decided by a toss / draw of lots, in the presence of the respective L-1 bidder(s) or their representative(s).

Ranking will be done accordingly. BHEL's decision in such situations shall be final and binding.

12. The Bidder declares that they will not enter into any illegal or undisclosed agreement or understanding, whether formal or informal with other Bidder(s). This applies in particular to prices, specifications, certifications, subsidiary contracts, submission or non-submission of bids or any other actions to restrict competitiveness or to introduce cartelization in the bidding processes.

In case, the Bidder is found having indulged in above activities, suitable action shall be taken by BHEL as per extant policies/ guidelines.

13. **DECLARATION: -**

In pursuant to the Public Procurement Policy for MSEs Order, 2012, I/We declare(s) that My/Our firm is(are) falling under the following MSE category and I/we shall submit documentary evidence/ Govt. Certificate etc. (UDYAM certificate) in support of the same along with the techno-commercial offer.

Type under MSE	SC Owned	ST Owned	Women Owned	Others (excluding SC/ST & Women Owned)
Micro				
Small				

(√ Tick whichever is applicable)

Note: If the bidder does not furnish the above in the tender, offer shall be processed construing that the bidder is not falling under MSE category.

14. **Conflict of Interest: -**

Treatment of cases regarding conflict of interest: The bidder notes that a conflict of interest would said to have occurred in the tender process and execution of the resultant contract, in case of any of the following situations:

- I. If its personnel have a close personal, financial, or business relationship with any personnel of BHEL who are directly or indirectly related to the procurement or execution process of the contract, which can affect the decision of BHEL directly or indirectly;

- II. The bidder (or his allied firm) provided services for the need assessment/ procurement planning of the Tender process in which it is participating;
- III. Procurement of goods directly from the manufacturers / suppliers shall be preferred. However, if the OEM/ Principal insists on engaging the services of an agent, such agent shall not be allowed to represent more than one manufacturer/ supplier in the same tender. Moreover, either the agent could bid on behalf of the manufacturer/ supplier or the manufacturer/ supplier could bid directly but not both. In case bids are received from both the manufacturer/ supplier and the agent, bid received from the agent shall be ignored. However, this shall not debar more than one Authorized distributor (with/ or without the OEM) from quoting equipment manufactured by an Original Equipment Manufacturer (OEM) in procurements under a Proprietary Article Certificate.
- IV. A bidder participates in more than one bid in this tender process. Participation in any capacity by a Bidder (including the participation of a Bidder as a partner/ JV member or sub-contractor in another bid or vice-versa) in more than one bid shall result in the disqualification of all bids in which he is a party. However, this does not limit the participation of an entity as a sub-contractor in more than one bid if he is not bidding independently in his own name or as a member of a JV.

The Bidder declares that they have read and understood the above aspects, and the bidder confirms that such conflict of interest does not exist and undertakes that they will not enter into any illegal or undisclosed agreement or understanding, whether formal or informal with other Bidder(s), in this regard. This applies in particular to prices, specifications, certifications, subsidiary contracts, submission or non-submission of bids or any other actions to restrict competitiveness or to introduce cartelization in the bidding process. In case, the Bidder is found having indulged in above activities, the same will be considered as a violation of the tender conditions, and suitable action shall be taken by BHEL as per extant policies/ guidelines.

15. **All the above points must be explicitly confirmed in your techno-commercial offer. If any point not confirm in "Part A" of your offer, it shall be taken that it is acceptable to you. In case of non-acceptance above points / fail to submit sample / documents as per our tender / specification requirement, your offer may be rejected.**

**Note: - MSE suppliers can avail the MSE benefit only if they are manufacturer of quoted item (s) and submit valid MSE certificate (NSIC/Udyam etc.) along with the offer.**

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