

Additional Terms and Conditions for subject Tender Enquiry to be complied by Bidders for Consideration in this tender:

- A. Bidders to ensure that Third party/Customer issued certificates being submitted as proof of PQR qualification should have verifiable details of document/certificate issuing authority such as name & designation of Issuing Authority and its organization contact number and E-mail Id. In case the same is found not available, BHEL has the right to reject such document from evaluation.
- B. "This item /package/system falls under the list of items defined in para 3 of ministry of finance guideline date 20.09.16 (procurement of items related to public safety, health, critical security operations and Equipment's etc.) & hence criteria of prior experience /turnover shall be same for all bidders including start up /MSME".
- C. **Guarantee & Warrantee** shall be as per Cl. No. 10 of GTC on GeM for the bid. However, Guarantee & Warrantee time period shall be 18 months from the date of last supply in the Contract.
- D. Evaluation shall be on the basis of total all inclusive, landed price at consignee destination (Refer cl. No. 6 of GTC on GEM).
- E. **Terms of Delivery** shall be as per cl. No. 13 of GTC on GeM (i.e. Free Delivery at site basis including loading/unloading). However, transit insurance and **unloading of items (at delivery point) shall be in the scope of buyer. Bidder to quote prices accordingly.**
- F. Further, w.r.t. Transit Insurance supplier has to inform the details of dispatches (such as Policy No., Consignee Name, Consignment Packing details, Project Name, Purchase Order No., LR No. & date, Invoice No. & date, Despatch Origin & destination details etc.) to policy underwriter (whose details shall be shared post award of contract).
- G. PQR criteria uploaded with Buyer uploaded Bid Specific document shall prevail Value of Experience criteria and Past performance parameter mentioned in GeM bid.
- H. "Due to COVID-19 pandemic condition prevailing in the country BHEL/PEM may go for Remote Inspection of Offered items if required. Vendors are requested to be equipped with the facilities/gadgets as indicated in the guidelines available at : <https://pem.bhel.com/Documents/VendorSection/Vendor/Guidelines.pdf> to take up the inspection remotely.

Inspection call to be raised by bidder on BHEL CQIR portal (details shall be shared at the of execution of order) and Inspection agency shall attend at the inspection within seven (07) days of the date on which the material is notified as being ready. In case of delay in witnessing of inspection beyond stipulated time (i.e. 7 days from the date on which the material is notified as being ready), by BHEL arising due to reasons not attributable to vendor, BHEL will extend the delivery period for such delay in carrying out inspection. If BHEL is not able to witness inspection up to 15 days then in addition to delay beyond stipulated period, extension in delivery time of 07 days for arranging fresh inspection will be given.

When the tests have been satisfactorily completed at Seller/ Contractor's works, the Inspection Agency shall issue an inspection report that effect within seven (07) days after completion of the tests, but if the tests were not witnessed by the Inspection Agency or his representative, the material acceptance report would be issued within seven (07) days after receipt of the test certificates by the Purchaser.

Purchaser will issue MDCC to the Seller/ Contractor within 7 days based on inspection report/ test certificates/Certificate of Conformance as applicable. In case of delay in issuance of MDCC beyond 7 days stipulated time (i.e. from the date of successful inspection report), by BHEL arising due to reasons not attributable to vendor, BHEL will extend the delivery period for such delay in issuing MDCC. If BHEL is not able to issue MDCC up to 15 days then in addition to delay beyond stipulated period, 7 days' additional time shall be given to vendor to facilitate the vendor for arranging logistics arrangements.

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- I. All Bidders shall be required to submit applicable Freight % & GST % included in their prices during clarification stage of Tender.
- J. Performance Bank Guarantee: shall be as per Cl. No. 7 of GTC of GeM. Performance Security amount shall be @5% of the value of contract value.
- K. **Payment Terms:** For Supply Portion: - As per clause no. 12 (i))of GTC of GEM. Provision of offline payment in GeM can be utilized. Vendor has to submit Tax invoice, Packing List, LR/RR, CRAC, Insurance intimation, Guarantee Certificate, E-way bill for claiming payment.
- L. **Bid reserved for Make in India products:** - Procurement under this bid is reserved for purchase from Class 1 local suppliers as defined in public procurement (Preference to Make in India), Order 2017 as amended from time to time and its subsequent Orders/Notifications issued by concerned Nodal Ministry for specific Goods/Products. The minimum local content to qualify as a class 1 local supplier is denoted in the bid document as 50%. All bidders must upload a certificate from the OEM regarding the percentage of the local content and the details of locations at which the local value addition is made along with their bid, failing which the bid is liable to be rejected.

Regarding verification of local content, the local supplier at the time of tender, bidding or solicitation shall be required to provide certification (as per enclosed annexure) as per para 9 of PP-MII order revision dated 16.09.2020.

M. Financial bid opening (Part-II) of a bidder shall be subjected to following:

- i. Offered item should mandatorily conform to PP-MII order provisions.
- ii. Techno-Commercial recommendation by BHEL.
- iii. Qualification of Technical PQR against this Enquiry.

N. Consignee Details (for PRC - Provisional Receipt Certificate & CRAC - Consignee's Receipt cum Acceptance Certificate, as applicable) shall be as per Project Site official details.

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

P. Bidders to ensure the following: -

- Ensure compliance to Ministry of Power (MoP) Order No. 11/05/2018-Coord. dt. 28/07/2020, if applicable.
- Ensure compliance of Ministry of Finance (MoF) Order (Public Procurement No. 1 & 2) F. No. 6/18/2019/PPD dt. 23/07/2020.
- to submit "Model Certificate for Tenders" as per Annexure-III of Ministry of Finance (MoF) Order (Public Procurement No. 1 & 2) F. No. 6/18/2019/PPD dt. 23/07/2020.

Q. Liquidated Damage- As per cl. no. 15 of GTC on GeM.

R. Delivery Period: 180 days from the date of PO.

After award of contract- Successful Bidder shall have to get Detailed Design Drawings (data sheet and Quality Plan) approved from buyer before starting manufacturing.

Drg. Sch for Vendors: R-0 within 14 days from PO & subsequent revisions within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.

Approval process of primary documents shall be completed within 60 days from Purchase Order. Seller shall be required to ensure supply as per approved Drawings with modifications as communicated by Buyer. If there is delay from buyer side in approval of drawing - the delivery period shall be refixed

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without LD for the period of delay in approval of Drawing. Material shall be dispatched by vendor after issuance of MDCC by BHEL only.

Successful Bidder shall submit R-0 within 14 days from PO & subsequent revisions within 10 days of comments received from BHEL. BHEL shall furnish comments/approval on each submission within 18 days from receipt. Approval process of primary documents shall be completed within 60 days from Purchase Order. Seller shall be required to ensure supply as per approved Drawings with modifications as communicated by Buyer. If there is delay from buyer side in approval of drawing - the delivery period shall be refixed without LD for the period of delay in approval of Drawing.

- S.** For registration in BHEL PEM- Online registration portal is operational, Non-registered Vendors who wish to apply for registration in BHEL-PEM can apply through Online Registration Portal available at www.pem.bhel.com - vendor section - Online Supplier Registration. All credentials and/or documents duly signed and stamped related to registration can be uploaded on the website and submit the application for registration. However, registration of suppliers is not mandatory in case of open tender.
- T.** Instructions to Packing List (annexure –I) and Certification reg. Local content (annexure –II) to be complied by bidders.
- U.** All other terms & conditions shall be as per selected Additional Terms & Conditions for subject bid from GeM library and GTC version available on GeM Portal on enquiry floating date shall be applicable.

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PROJECT: 1x 660 MW PANKI TPS

PACAKGE: - RIGID STEEL CONDUITS

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ANNEXURE -I TO INSTRUCTIONS TO PACKING LIST

For faster verification of bills, successful bidder to submit detailed Bill of Material (BOM) at the time of drawings/ documents submission after placement of PO. Each item of the BOM to be uniquely identified with item code no. or item Sl. No. Supplier to ensure that all items which will find separate mention in the packing list are covered in this detailed BOM.

Supplier to also give the following undertaking in the BOM:

“The BOM provided herewith completes the scope (in content and intent) of material supply under PO No.
Dated Any additional material which may become necessary for the intended application of the supplied items/package will be supplied free of cost in most reasonable time.

Packing List must indicate:

- a) Packing size
- b) Gross weight and net weight of each package
- c) Contents of the package with cross reference to BOM item code no. / Sl. No.
- d) Quantity of each items separately.

The packing list must cover all the BOM items.

Supplier to give following undertaking in the packing list:

The Packing list provided herewith is as per BOM approved under PO No. -----

ANNEXURE II
1x 660 MW PANKI TPS
RIGID STEEL CONDUITS

Letter head of Company

Ref.....

Date.....

To,
Bharat Heavy Electricals Limited
PEM, PPEI Building, Plot No 25,
Sector -16A, Noida (U.P)-201301

Subject: - Certification regarding local content

Reference: Tender Enquiry No:-

Name of Package: Rigid Steel Conduits

Dear Sir,

We hereby certify that items offered by us of Rigid Steel Conduits for 1x 660 MW Panki Project meets the requirement of minimum local content in line the Public Procurement (Preference to Make in India), Order 2017 dated-15.06.2017, 28.05.2018 & 29.05.2019, 04.06.20 & 16.09.20

We further confirm that details of location at which the local value addition is made will be our registered works at (address of the works)

Yours very truly

..... (authorized signatory of company)

..... (firm name)

authorized signatory
of company