

	PPX-BOI DEPARTMENT BHARAT HEAVY ELECTRICALS LIMITED HEEP: HARIDWAR-249 403 (Uttarakhand), INDIA Email ID: richa_t@bhel.in/ amitksingh@bhel.in TEL: +91 1334 28 4175/ 28 1150	ENQUIRY/ TENDER NO. B/4222/2020/1744V/1 PACKAGE: AIR COOLED CONDENSER PROJECT: 3X800 MW PATRATU PROJECT DATE OF ISSUE OF TENDER: 28.11.2020
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Date: 05.02.2021

CORRIGENDUM -2

INDEX:

Corrigendum pertains to the following:

Sl. No.	Subject
A.	Extension of due date of tender up to 22.03.2021 (Monday)
B.	Offer validity clause amended as 10 months.
C.	Excerpts for ready reference from Order no. F. No. 6/18/2019-PPD dtd. 23/07/2020 (Restrictions under rule no. 144 (xi) of GFRs-2017)

DETAIL:

Bidders may please take note of the following points and submit bid in compliance of the same:

- A.** Due date of opening of subject tender has been extended up to **22.03.2021 (Monday).**

Time:

Submission of offer by 1:45 PM (IST)

Tender opening to start at 2:00 PM (IST)

- B.** Reference: Clause 6 of 'NOTICE INVITING TENDER/ ENQUIRY SPECIAL TERMS OF ENQUIRY/ TENDER'

OFFER VALIDITY

The offer is to be submitted with a validity of 10 months from the date of opening of techno-commercial offers (Part-I Offer). BHEL will reserve the right to reject the offer, quoting validity less than 10 months.

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- C. Reference: Clause 27 of 'NOTICE INVITING TENDER/ ENQUIRY SPECIAL TERMS OF ENQUIRY/ TENDER'

RESTRICTIONS UNDER RULE NO. 144 (xi) OF GFRs-2017

Bidders to note that 'All provisions of order no. F. No. 6/18/2019-PPD dtd. 23/07/2020 of Department of Expenditure (DOE) shall be applicable for this tender enquiry' (as informed in the clause 27 of Special Terms of Enquiry/ Tender).

It is once again stated and emphasized that all the terms and conditions of the pertinent order are to be duly adhered to.

Bidders to take note and ensure that following clauses of the order are duly complied with while submitting bids:

- I. *Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.*
- II. *"Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.*
- III. *"Bidder from a country which shares a land border with India" for the purpose of this Order means:*
 - a) *An entity incorporated, established or registered in such a country; or*
 - b) *A subsidiary of an entity incorporated, established or registered in such a country; or*
 - c) *An entity substantially controlled through entities incorporated, established or registered in such a country; or*
 - d) *An entity whose beneficial owner is situated in such a country; or*
 - e) *An Indian (or other) agent of such an entity; or*
 - f) *A natural person who is a citizen of such a country; or*
 - g) *A consortium or joint venture where any member of the consortium or joint venture falls under any of the above*
- IV. *The beneficial owner for the purpose of (iii) above will be as under:*



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ENQUIRY/ TENDER NO. B/4222/2020/1744V/1
PACKAGE: AIR COOLED CONDENSER
PROJECT: 3X800 MW PATRATU PROJECT
DATE OF ISSUE OF TENDER: 28.11.2020

1. *In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.
Explanation—
a) "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
b) "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;*
 2. *In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together. or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership:*
 3. *In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;*
 4. *Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;*
 5. *In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.*
- V. *An Agent is a person employed to do any act for another, or to represent another in dealings with third person.*

Registration with the competent authority as stipulated in the said order is responsibility of bidder. Bidder has to submit a certificate certifying following along with offer:

"I have read the clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that bidder (.... Name of bidder) is not from such a country or, if from such a country, has been registered with the competent authority. I hereby certify that bidder (.....name of bidder) fulfils all requirements in this regard and is eligible to be considered"

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If the bidder is from such country which shares a land border with India evidence of valid registration by the competent authority shall be also be attached along with offer.

In respect of tenders, registration should be valid at the time of submission of bids and at the time of acceptance of bids. In respect of supply otherwise than by tender, registration should be valid at the time of placement of order. If the bidder was validly registered at the time of acceptance / placement of order, registration shall not be a relevant consideration during contract execution.

Above mentioned clauses are only excerpts from order no. F. No. 6/18/2019-PPD dtd. 23/07/2020 and should be read in conjunction with the order in all respect. It is the responsibility of the bidder to ensure that bid be submitted in compliance with all the provisions of the order.