

**OPEN TENDER ENQUIRY ON NIC PORTAL FOR INVITING DOMESTIC
VENDOR INLINE TO TPQR**

Procurement of :

**SILICONE RUBBER COATED FIBRE GLASS WRAPPER TO TM00285 REV-01
AND AS PER DRAWING-44303376004 REV-02 DIE CUT. PACKING &
MARKING AS PER SPECIFICATION.**

Enq Quantity: 1800 NO, +/-5%

1. Pre- Qualification Requirement (PQR) :

Technical PQR (Specification cum compliance certificate): To qualify against this tender vendor has to comply the qualifying requirement as per PQC documents. (Attachment). Necessary supporting document must be attached by tenderer asked in PQR along with Part-1 (Techno –Commercial) bid. In case of non-submission of above document, the offer may be rejected.

NOTE:

- a. **Startups bidders that fall under** Agents/Trader/distributor/stockists etc. are not allowed to avail the grant of benefit available under public procurement policy as per **office memorandum F. No. 1(2)(1)/2016-MA dt. 09.02.2017, office of development commissioner (Micro, small & Medium Enterprises) (MA Division).**
- b. **MSE benefits.** - For availing benefits of MSE, vendors need to attach UDYAM certificate along with their technical offer. Non-submission of such documents will lead to consideration of their offer at par with others and MSE status of such suppliers shall be shifted to non-MSE supplier until the supplier submits UDYAM. Agents and Trading enterprises are not covered under the definition of MSEs and should not be allowed any benefits under public procurement policy as per **office memorandum F. No. 1(2)(1)/2016-MA dt. 09.02.2017, office of development commissioner (Micro, small & Medium Enterprises) (MA Division).**
- c. **Preference to Make In India:** Preference shall be given to Class 1 local supplier 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 shall be 50%. To avail the Purchase preference against this tender, the bidder must upload a MII certificate 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 no purchase preference shall be granted. Only Class-I and Class-II Local suppliers (OEM) as per MII order dated 4.6.2020 will be eligible

to bid. Non - Local suppliers as per MII order dated 04.06.2020 and traders/dealers are not eligible to participate.

d. Startups bidders: Govt. of India guidelines for Startups bidder shall be applicable for this tender. Vendors should submit the requisite document as applicable along with techno-commercial offer (part-bid) in order to get benefits.

2. **Un-registered/ New Vendor:** Tenderer who are participating in this enquiry and not registered with BHEL Bhopal, should apply online for registration from website (https://supplier.bhel.in/new_reg1.jsp).

3. **General Terms & Conditions of the enquiry (BP-200102A)-** Vendor to furnish their acceptance on General Terms & Conditions of the enquiry (BP-200102A) attached as annexure in NIT.

4. **Reverse Auction:**

“BHEL shall be resorting to Reverse Auction (RA) (latest Guidelines as available on www.bhel.com) for this tender. RA shall be conducted among the techno-commercially qualified bidders.

Price bids of all techno-commercially qualified bidders shall be opened and same shall be considered for RA. In case any bidder(s) do(es) not participate in online Reverse Auction, their sealed envelope price bid along with applicable loading, if any, shall be considered for ranking.”

5. **Inspection:** Final inspection for acceptance shall be at BHEL, Bhopal.

6. **Delivery Period:-** Bidders shall commit suitable delivery period on FOR destination basis. Delivery period in the purchase order shall be as per accepted delivery period quoted by the vendor or actual requirement of BHEL, whichever is later. Bidders may note that delivery beyond committed schedule will attract penalty for delayed performance.

7. **LD/Penalty for Late Delivery:** Subject to force majeure conditions, penalty shall be 0.5% of the total order value per week of delay or part thereof, subject a maximum of 10% of the total order value. Total order value above shall be item wise, lot wise order value.

8. **Declaration against cartel formation:** 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 process. In case, the Bidder is found having indulged in above activities, suitable action shall be taken by BHEL as per extant policies/ guidelines.

9. **Conflict of Interest-**"A bidder shall not have conflict of interest with other bidders. Such conflict of interest can lead to anti-competitive practices to the detriment of Procuring Entity's interests. The bidder found to have a conflict of interest shall be disqualified. A bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if:

- a) they have controlling partner (s) in common;
or
- b) they receive or have received any direct or indirect subsidy/ financial stake from any of them;
or
- c) they have the same legal representative/agent for purposes of this bid;
or
- d) they have relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the bid of another Bidder;
or
- e) Bidder participates in more than one bid in this bidding process. Participation by a Bidder in more than one Bid will result in the disqualification of all bids in which the parties are involved. However, this does not limit the inclusion of the components/ sub-assembly/ Assemblies from. one bidding manufacturer in more than one bid;
or
- f) In cases of agents quoting in offshore procurements, on behalf of their principal manufacturers, one agent cannot represent two manufacturers or quote on their behalf in a particular tender enquiry. One manufacturer can also authorise only one agent/dealer. There can be only one bid from the following:
 - 1. The principal manufacturer directly or through one Indian agent on his behalf;
and
 - 2. Indian/foreign agent on behalf of only one principal;
or
- g) A Bidder or any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the Bid;
or
- h) In case of a holding company having more than one independently manufacturing units, or more than one unit having common business ownership/management, only one unit should quote. Similar restrictions would apply to closely related sister companies. Bidders must proactively declare such sister/ common business/ management units in same/ similar line of business. "

CONFLICT OF INTEREST AMONG BIDDERS/AGENTS:

*"A bidder shall not have conflict of interest with other bidders. Such conflict of interest can lead to anti-competitive practices to the detriment of Procuring Entity's interests. **The bidder found to have a conflict of interest shall be disqualified.** A bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if:*

- a) they have controlling partner (s) in common; **or***
- b) they receive **or** have received any direct or indirect subsidy/ financial stake from any of them; **or***
- c) they have the same legal representative/agent for purposes of this bid; **or***
- d) they have relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the bid of another Bidder; **or***
- e) Bidder participates in more than one bid in this bidding process. Participation by a Bidder in more than one Bid will result in the disqualification of all bids in which the parties are involved. However, this does not limit the inclusion of the components/ sub-assembly/ Assemblies from one bidding manufacturer in more than one bid; **or***
- f) In cases of agents quoting in offshore procurements, on behalf of their principal manufacturers, one agent cannot represent two manufacturers or quote on their behalf in a particular tender enquiry. One manufacturer can also authorise only one agent/dealer. There can be only one bid from the following:*
 - 1. The principal manufacturer directly or through one Indian agent on his behalf; and*
 - 2. Indian/foreign agent on behalf of only one principal;*

or
- g) A Bidder or any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the Bid; **or***
- h) In case of a holding company having more than one independently manufacturing units, or more than one unit having common business ownership/management, only one unit should quote. Similar restrictions would apply to closely related sister companies. Bidders must proactively declare such sister/ common business/ management units in same/ similar line of business."*

Seal & signature of bidder

List of documents to be enclosed by vendors along with Techno-commercial (part-I) bid

Documents to be enclosed	Yes/No
Technical PQR with duly sealed and signed along with requisite supporting documents.	
BHEL general terms and condition BP200102A with duly sealed and signed	
NIT E3243002 with duly sealed and signed	
Copy of Udyam Certificate only to be attached (if applicable)	
Catalogue submitted	

Signature and seal of
vendor