

**ANNEXURE- II TO ENQUIRY No. E-
COMMERCIAL TERMS AND CONDITIONS
FOR INDIGENOUS ITEMS/INDIAN VENDORS**

Important: This format is to be submitted in original, along with Part-I of bid, duly signed by the bidder, as proof of acceptance.

Any Deviation from the T&C mentioned below is NOT acceptable. Offers received without this acceptance, will be treated as non-responsive, and shall be liable for rejection.

Sl. No.	Terms & Conditions	Vendor's Confirmation (Yes/No)
1.1	Sealed Quotations are invited on e-procurement portal (https://eprocurebhel.co.in) from Indian vendors only in accordance with Public Procurement (preference to make in India), order 2017 and its revision/orders/amendments/circulars issued by DPIIT (Department for promotion of industry and Internal trade)/Government of India time to time. Quotations on e-procurement portal are invited in two part bid system.	
1.2	Quotations/offers in two part bid system should be submitted by vendors on e-procurement portal on or before 11.00AM on Due date. Tenders shall be opened on the same day at 3.00 PM.	
1.3	Late tender shall not be entertained and shall be summarily rejected.	
2.	VENDOR QUALIFICATION REQUIRMENTS (TECHNICAL) :	
2.1	Supplier to confirm that material shall be supplied exactly as per BHEL. Specifications. The technical evaluation shall only be carried out only on this acceptance Any deviation should be clearly brought out in offer.	
2.2	Technical & Commercial qualification requirements of vendors against VQR, is given in enclosed Annexure –B. Vendors are requested to go through the same and submit the Annexure duly signed and sealed along with Part-1 Techno Commercial bid Documentary proof for all the parameters must be enclosed Relevant documents as proof of meeting against VQR (Vendor qualification requirement), must be submitted along with Part-1 Techno- Commercial bid.	
2.3	Bids Received without documentary proofs may be rejected for not meeting VQR requirements. Price bid of such vendors may not be opened.	
2.4	Offers from vendors not meeting the qualification requirements, shall be rejected and Part-2 Price bid of such vendors will not be opened.	
2.5	Late tender shall not be entertained and shall be summarily rejected.	
3	EVALUATION OF L1 VENDOR & SPLITTING OF QUANTITY BETWEEN VENDORS:	
3.1	L1 will be decided on total L1 basis.	
3.2	Price Evaluation of rates shall be done on the basis of landed cost at BHEL Bhopal	
3.3	Supplier has to quote rate in Rs.per Kg . Landed cost shall be calculated using average weight. Average weight shall be 382 kg it is calculated taking average OD 2330 mm, average ID 1000 mm, average thickness (Tk) 100 mm and average density (d) 1.1 and using formula in mentioned point no. 6 of technical parameter of Annexure-A.	
	Splitting of Quantities :	
	a) R/C will split between two vendors in ratio of 65:35 as detailed below:	
	In Case of more than 2 techno commercial acceptable vendors	
	b) L1: 65%: R/C for 65% quantity will be finalized on L1 vendor subject to price reasonability by BHEL.	

Signature of vendor with date & seal

	c) L2:35%: 35% quantity will be offered to L2 vendor on L1 rates. If L2 vendor accepts the offer, then R/C for 35% quantity will be finalized on L2 vendor. If L2 vendor refuses to accept the offer, then L1 rates will be offered to L3 vendor, and so on. If no vendor accepts the offer, then R/C for 35% quantity will also be finalized on L1 vendor.	
	In case of 2 or less techno commercially acceptable vendors	
	d) If there are only two techno-commercial acceptable vendors, R/C quantity may be finalized on L1 Vendor or may be distributed in both the vendors in the ratio of 65:35.	
	e) If there are only one techno commercial acceptable vendor, BHEL reserves the right to allocate 100% quantity or the quantity required by BHEL to vendor.	
	e) All efforts will be made by BHEL to maintain proportionate quantity distribution between L1 and L2 vendors to the extent possible. However, ordering against rate contract will depend upon the actual requirement /projects received by BHEL/vendors approved by BHEL customer.	
	f) Quantity variation for split quantities : Quantity variation of +/-10% will be applicable for individual vendors on split quantities also.	
4.	PRICE:	
4a.	Prices shall be quoted on FOR Destination basis, up to BHEL Bhopal inclusive of freight and insurance.	
4b.	Prices shall remain firm till execution of the contract.	
4c.	Please confirm that the following have been considered and clearly mentioned in the techno commercial bid (Part I):	
4c.i	GSTIN	
4c.ii	GST Rate	%
4c.iii	Input Tax Credit Applicable	
4c.iv	GST Type (IGST/CGST+SGST/UGST)	
4c.v	HSN Code, 8 Digit no for each enquiry item separately.	
4c.vi	Any other taxes/duties with percentage.	
4d	Suppliers have to quote their rates only in the unit mentioned in the e-template.	
5.	TERMS OF PAYMENT:	
5a.	Supply Payment:	
	i. 100% payment within 90 days of receipt (45 days for MSE including NSIC/Udyog Aadhar registered suppliers as per relevant act in force) subjected to a acceptance of material at BHEL, on direct presentation of the documents	
6.	VALIDITY:	
6a.	The offer should remain valid up to 120 days from the tender opening date.	
7.	DELIVERY:	
7a.	Delivery Schedule: Delivery shall be reckoned form date of issue of Purchase Order. Delivery date in PO shall be mentioned as per BHEL requirement but not less than the agreed/quoted delivery period by vendor.	
7b.	Maximum quantity per month that can be supplied against this R/C is to be uploaded as an enclosure with Techno-commercial Bid.	
7c.	Penalty: Penalty for delay in supply: Penalty shall be levied @ ½% (Half percent) per week subject to a maximum of 10% of the total contract value. Total order value above shall be item wise, lot wise order value. Delivery shall be guaranteed by acceptance of penalty.	
8.	The above terms and conditions shall be read in conjunction with General Terms and Conditions of Enquiry, BP- 200102. This is attached along with the enquiry. Wherever difference in terms & conditions is there, the terms & conditions mentioned in this Annexure T&C-A will prevail.	
9.	All items are to be procured on total L1 basis.	NA
10.	Quality Plan QA/TCB/BO/141 will be applicable for 3 rd party inspection.	

Signature of vendor with date & seal

11.	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. (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 1 in case of two part bid). 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 is 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.	
12.	As per Government of India guidelines this rate contract will be covered under Public Procurement (preference to make in India), order 2017 and its revision/orders/amendments/circulars issued by DPIIT (Department for promotion of industry and Internal trade)/Government of India time to time. Note- For this procurement, the local content to categorize a supplier as a Class I local supplier/Class II local Supplier/Non local supplier and purchase preference to Class I local supplier, is as defined in public procurement (Preference to Make in India), Order 2017 dated 04.06.2020 issued by DPIIT. In case of subsequent orders issued by the nodal ministry, changing the definition of local content for the items of the NIT (Notice inviting tender), the same shall be applicable even if issued after issue of this NIT, but before opening of Part-II bids against this NIT.	
13.	Vendor has to specify local content in % (percentage) as per Public Procurement (preference to make in India), order 2017 and its revision/orders/amendments/circulars issued by DPIIT (Department for promotion of industry and Internal trade)/Government of India time to time.	
14.	Declaration certificate attached to be filled & submitted after sign & seal	

Signature of vendor with date & seal