

Annexure-B

Confirmation / Acceptance of Commercial Terms & Conditions for **Foreign Vendors**

(Annexure-B to be filled, signed & stamped by Vendor and this should form a part of Techno-Commercial bid)

Enquiry No: E1903076

Enquiry Due Date: 28/05/2021

S. No	BHEL TERMS & CONDITIONS	VENDOR RESPONSE
1.	<p><u>PRICES:</u> Prices once quoted shall remain firm within the validity or any extension thereof for placement of order, till complete execution of the order, without any escalation/increase for any reason, whatsoever, unless specifically provided for in the Enquiry & PO. The quoted price shall be taken as inclusive of Third Party Inspection and testing charges as called for in the NIT. Please confirm.</p>	
2.	<p><u>INSPECTION:</u> In case of foreign vendors, the cost of Third Party Inspection (Lloyds/SGS/BVQI/TUV) where called for, shall be deemed included in the quoted price. Quoted prices shall be inclusive of inspection and testing charges. Please confirm.</p>	
3.	<p><u>AGENCY COMMISSION:</u> Agency commission if any to be included in price basis and indicated separately as a percentage of quoted value. Please confirm.</p>	
4.	<p><u>PLACE OF DELIVERY:</u> Indicate the name of Seaport/Airport on CFR / CIF basis delivery. (For CIF Delivery port is JNPT Mumbai.) Offer received on FOB basis may be considered on an exceptional basis. BHEL will load freight, marine insurance & shipping line port handling charges etc to work out landed cost at Sea Port. For further clarification refer GTC BP 200102.</p>	
5.	<p><u>DELIVERY PERIOD:</u> Delivery period to be quoted in no. of weeks/months from the date of receipt of Purchase Order. Please clearly specify.</p>	
6.	<p><u>BHEL PAYMENT TERMS:</u> 100% against Irrevocable, Unconfirmed LC, payable within 90 days of the Bill of Lading (B/L) date 'OR' Payment terms of CAD payable on 90th day of B/L / AWB. Please Confirm. In case BHEL considers any deviation in payment terms <i>i.e.</i> early payment based on vendor's request, then bids shall be evaluated with loading of State Bank of India Base Rate plus 6%, for the credit period short of 90 days. The LC shall be established 1-months prior to shipment date, valid for period of 90 days, unless agreed otherwise.</p>	
7.	<p><u>LC Charges:</u> a. L/C charges in India to BHEL A/C and outside India to vendor's account. Please confirm. b. Confirmation charges shall be in supplier's account in case confirmed L/C is required. Please confirm. c. In case of delay in supply by the vendor, charges for extension of L/C (Inside & Outside) will have to be borne by vendor. Please confirm.</p>	
8.	<p><u>PENALTY:</u> 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.</p>	
9.	<p><u>QUANTITY VARIATION:</u> BHEL reserves the right to increase /decrease/cancel the quantity during enquiry stage or during execution of the contract without assigning any reason.</p>	
10.	<p><u>EXCHANGE RATE:</u> For evaluation, exchange rate (TT selling rate of SBI) as on scheduled Part-I date of tender opening. If the relevant day happens to be a bank holiday, then the forex rate as on the previous bank (SBI) working day shall be taken for evaluation purpose.</p>	

11.	VALIDITY: The offer must be valid for 120 days from the date of technical bid opening. Pl confirm.	
12.	CURRENCY: Indicate the name of currency of the quoted prices. Please clearly specify.	
13.	PEBC Certificate submitted as per Annexure I OR Annexure II whichever is applicable.	
14.	<p>Purchase Preference- This has reference to Government of India Circular no. Order No.P-45021/2/2017-B.E.-II dated 15.6.2017 as amended by Order No.P-45021/2/2017-B.E.-II dated 28.05.2018 and Order No.P-4502112/2017-B.E.-II dated 29.05.2019, hereby issues the revised 'Public Procurement (Preference to Make in India), Order 2017" dated 04.06.2020 for Preference to Make in India and furtherance of the Public Procurement notified.</p> <p>Subject to the provisions of this Order and to any specific instructions issued by the Nodal Ministry or in pursuance of this Order, purchase preference shall be given to 'Class-I local supplier' in procurements undertaken by procuring entities in the manner specified here under.</p> <p>In the procurements of goods or works, which are covered by para 3(b) of Public Procurement (Preference to Make in India), Order 2017— Revision dated- 04-06-2020 and which are not divisible in nature, and in procurement of services where the bid is evaluated on price alone, the 'Class-I local supplier' shall get purchase preference over 'Class-II local supplier' as well as 'Non-local supplier', as per following procedure.</p> <p>i. Among all qualified bids, the lowest bid will be termed as L1. If L1 is 'Class-I local supplier', the contract will be awarded to L1.</p> <p>ii. If L1 is not 'Class-I local supplier', the lowest bidder among the 'Class-I local supplier', will be invited to match the L1 price subject to Class-I local supplier's quoted price falling within the margin of purchase preference, and the contract shall be awarded to such 'Class-I local supplier' subject to matching the L1 price.</p> <p>iii. In case such lowest eligible 'Class-I local supplier' fails to match the L1 price, the 'Class-I local supplier' with the next higher bid within the margin of purchase preference shall be invited to match the L1 price and so on and contract shall be awarded accordingly. In case none of the 'Class-I local supplier' within the margin of purchase preference matches the L1 price, the contract may be awarded to the L1 bidder.</p> <p>"Class-II local supplier" will not get purchase preference in any procurement, undertaken by procuring entities.</p> <p>iv. The margin of purchase preference shall be 20%.</p>	

NOTE:

- Deviation in any commercial condition above shall be suitably loaded in the offered price as per BHEL norms.
- Kindly refer BHEL general terms & conditions **BP 200102** that shall prevail for this tender enquiry.
- In case of any conflict, confirmation by vendor provided here in Annexure-B shall supersede.
- Bidders not registered with BHEL shall submit indexed credential as per QAX/TH/1500 rev 00.
- Doc to be submitted within 15 days of PO date & subsequent rev if req. within 7 days from BHEL comments.
- Vendor to quote for all the items and bid evaluation will be on **Lot basis**.

(Signature & Seal of vendor)