

### Annexure-I: Commercial Terms & Conditions against Enquiry E4313051

We wish to enter into FRAMEWORK AGREEMENT for supply of **“Toggle Switch”**. FRAMEWORK AGREEMENT will be for **18 months** for placement of orders from the date of framework agreement approval. The total quantity requirement is for the period as given in enquiry. Same need to be supplied against Purchase orders issued to supplier, time to time during contract period. Basis for deciding lowest (L1) offer will be as per clause 19 of General Terms & Conditions to the enquiry: BP200102.

#### Instruction for supplier:

Quotation shall be submitted in TWO PART through **E-Procurement route**. Offers of only techno-commercially qualified vendors will be considered for price bid opening.

Acceptance of all the following terms & conditions is required in your offer. **The same is to be signed by vendors and submitted along with offer.**

S.No	BHEL's Parameter	Complied/ Not complied
1.	<b>Monthly Capacity:</b> Monthly requirement of BHEL can go up to 20% of RC quantity. Kindly confirm, else indicate your monthly capacity.	
2.	<b>Delivery Schedule:</b> BHEL desires lead time of not more than 02 <b>(two) months</b> . Kindly confirm, else indicate your monthly capacity <b>within BHEL's desire lead time.</b>	
3.	<b>Quantity Split:</b> <ul style="list-style-type: none"> <li>a) RC will be finalized with <del>two/three</del> suppliers in <del>65:35/ 50:30:20</del> ratio (if minimum <del>3/4</del> techno-commercially suitable offers are received).</li> <li>b) L1 HESG equivalent rate will be counter offered to L2 till H1 bidder, one by one and in order from lowest to highest bidder, for <del>35%/ 30% &amp; 20%</del> quantity. RC for <del>35%/ 30% &amp; 20%</del> quantity will be finalized on acceptance to this counter offer.</li> <li>c) If none of L2 till H1 bidder accepts L1 HESG equivalent rate, then 100% quantity will be contracted with L1 bidder.</li> <li>d) BHEL may consider awarding part of quantities to <del>L2/L2 &amp; L3</del> bidder at L1 counter offered rates, if the monthly capacity offered by L1 is less than <del>65%/ 50%</del> of our monthly requirement, mentioned in clause 7.</li> <li>e) BHEL may also consider awarding part of quantities to other than <del>L1 / L2/ L3</del> bidder(s) at L1 counter offered rates, if the monthly capacity offered (<del>both L1 L2/ all three L1 L2 L3 combined</del>) is less than our total monthly requirement.</li> </ul> <p>No distribution if less than 3 techno-commercially suitable offer are received. However, in exceptional cases split will be done on approval of competent authority. <b>Note: If RC is finalized with two suppliers and any of the supplier fails to supply the material by the stipulated “Material entry allow date”, BHEL reserves the right to divert the whole pending RC quantity to other RC vendor. Strict action, as per extant guidelines of BHEL in vogue which ensues permanent banning of the defaulting supplier across BHEL, may also be initiated.</b></p>	
4.	<b>Prices:</b> The price is to be quoted on <b>Firm</b> basis in line with Enquiry.	
4a	<b>PVC Clause:</b> Rate of material prevailing on the <del>1st calendar day</del> of the month of actual delivery/scheduled delivery, whichever is lower shall be applicable. In case of early delivery, if desired by BHEL, the rate of material prevailing on the <del>1st calendar day</del> of the month of actual date of delivery shall be applicable.	

5.	<b>Whether covered under MSMED</b> If yes, copy of valid <b>UDYAM/UDYOG AADHAR MEMRANDUM</b> /NSIC certificate / CA certificate (Annexure- II) with EM II, as the case may be, is required to be submitted.	
6.	<b>The Guarantee / Warranty</b> of the item will be as per clause 18 of GTC BP-200102, if not mentioned in Technical Annexure, otherwise guarantee period as mentioned in Annexure shall be applicable.	
7.	<b>Penalty Clause</b> will be applicable as per clause 9 of of GTC BP-200102.	
8.	In addition to above, BHEL Bhopal's General terms & conditions BP200102 forms a part of tender. A copy of same can be downloaded / seen from <a href="https://www.bhelbpl.co.in">https://www.bhelbpl.co.in</a> .	
9.	BHEL shall not be resorting to Reverse Auction (as per RA Guidelines as available on <a href="http://www.bhel.com">www.bhel.com</a> ) for this tender.	
10.	BHEL reserves the right to modify some of these NIT conditions without assigning any reason. Such modification if any will be conveyed to all parties before price bid opening.	
11.	Quotation validity shall be 120 days from tender opening date	
12.	BHEL reserves the right to cancel framework agreement and purchase orders (before execution) placed against the framework agreement, unilaterally, without assigning any reason.	
13.	Above conditions supersede any T&C quoted by vendor against subject enquiry.	

**Pl submit offer in line with above terms & conditions otherwise your offer may be rejected.**