

**Annexure-II:****Enquiry E4363013**

BHEL wishes to enter into Rate Contract / Framework Agreement for supply of “ **MT RELAYS** ”. Rate Contract Agreement will be valid for a period of **18 months** for ordering from the date of Rate Contract finalization. The total requirement for the period is as given in enquiry copy separately. Same need to be supplied against Purchase Orders issued to supplier(s) time to time during the rate contract period.

**Instructions for supplier(s) :**

1. Quotations are invited in TWO PART BID only. Price bid(s) shall be opened only of PQC (Pre-Qualification Criteria) qualified and Techno-Commercially acceptable bidders. Quotation received in SINGLE BID will normally be rejected and will be considered only if the bid is PQC qualified & techno-commercially acceptable without seeking any clarifications from the bidder.
2. BHEL prefer the information to be furnished exactly in this format which will help to minimize repetitive clarifications / confirmations.
3. Ensure to sign and affix seal on each page of this annexure and submit along with your Techno-commercial bid.
4. However, if any of the terms of clause is not covered in this Annexure, same may be indicated separately in your techno-commercial bid.
5. Acceptance of all the following terms & conditions is required in your offer. The same is to be signed by bidder(s) and submitted along with offer.

**Commercial Terms & Conditions**

S.No	BHEL's Parameter	Complied/Not complied
1	<b>Terms of delivery:</b> FOR CRX, BHEL Bhopal i.e. Door delivery. Freight & insurance in supplier's A/c and inclusive in quoted rate.	Yes
2	<b>a) GST Extra as applicable:</b>	
	<b>b) HSN codes are mandatory for each item quoted</b>	
3	<b>Packing &amp; forwarding charges:</b> To be quoted in % of Basic price / If not indicated then NIL.	Nil , if not mentioned
4	<b>Delivery Schedule:</b> Required delivery shall be within 2 months from issue of PO against RC.	
5	<b>Monthly Capacity:</b> Monthly requirement may go up to 10% of FA quantity (individually for all items). Kindly confirm the same, else indicate your monthly capacity.	Yes
6	<b>Validity of offer:</b> 120 days from the date of tender opening.	Yes
7	Quantity indicated in enquiry is tentative & PO will be placed item wise after receipt of customer PO.	Yes
8	Prices quoted (PVC):  <b>PVC annexure</b>  PVC Formula:  $P = Po + F (X - Xo)$ where P = Final Rate to be paid at the time of supply Po = Rate mentioned in Purchase Order F = PVC factor as mentioned in description of Item in Enquiry/ Purchase Order. X = As per S. No. 4 mentioned below. Xo = Base Rate of raw material/s as mentioned in Enquiry/ Purchase Order.  Agency for rates of raw material shall be as mentioned below:  Copper: Copper Rate [Total value (A)] declared in 1st fortnight BME circular of the month of delivery. BME circular mentioned above refers to the circular issued by Bombay Metal Exchange for copper billets. Silver: Silver 999 (AM price) per kg rate published by IBJA (Indian Bullion and Jewelers Association) Steel: JPC rate as per item description Aluminum: NALCO grades as per item description  Rates prevailing on the first calendar day of the month of scheduled delivery or actual delivery in BHEL (whichever is lower) shall be used for PVC calculation.	Yes

	<p>In case of early delivery on BHEL request, rates prevailing on the first calendar day of the month of actual delivery shall be used for PVC calculation.</p> <p>In case first calendar day of month happens to be Sunday, holiday or rates are not available due to any reason, rates prevailing on previous day shall be considered for PVC calculation.</p> <p>If item contains more than one metal/ raw material (if mentioned in item description in bid), PVC formula shall be</p> $P = Po + \{F (X - Xo)\} \text{ (for copper)} + F (X - Xo) \text{ (for silver)} + F (X - Xo) \text{ (for Aluminium)} \text{ and so on}$ <p><b>Item#01-COPPER PVC Factor 1:5.367 With BME COPPER Billet Price Rs.1309.004/KG</b>  <b>SILVER PVC Factor 1:0.1176 With SILVER Base Rate 2,55,300/KG</b></p>	
9	<p><b>Payment Term:-</b>  100% payment in 90 days of receipt (45 days for Micro &amp; Small and 60 days for Medium enterprises as registered in Udyam certificate as per relevant MSME act in force) and subject to acceptance of material and relevant documents at BHEL..</p>	Yes
10	<p><b>For vendor covered under MSE</b>  If yes, for MSE suppliers (manufacturers only), a copy UDYAM certificate is required)</p>	Yes
11	<p><b>Evaluation of tender:</b> Item wise L1 basis</p>	Yes
12	<p><b>Penalty Clause:</b>  Please accept BHEL's standard penalty clause "An unconditional penalty of half percent (0.5%) of the price of the goods in arrears per week subject to a maximum of 10% of the order value"</p>	
13	<p>With Reference to Government of India Guidelines of Preference to Make in India Order Dated 04 June 2020, Please Inform Your Status as Class (either as Class I or Class II) of Supplier for This Item. [Class I-Local Supplier Has Local Content Is Equal To Or More Than 50 % &amp; Class II-Local Supplier Has Local Content More Than 20 % But Less Than 50 %].</p>	
14	<p><b>Price Impact clause due to variation in quantity</b></p> <p>BHEL shall not consider any kind of price impact offered by bidder on overall package price quoted by them due to change in quantity of any of the items of the enquiry.</p> <p>In case there is increase in quantity of any of the items of the enquiry, bidder is allowed to offer percentage discount w.r.t the unit rate quoted by bidder against those item(s) only. BHEL shall evaluate bidder's package price for the enquiry based on discounted unit rate or original quoted rate whichever is lower.</p> <p>In case there is decrease in quantity of any of the items of the enquiry before price bid opening, BHEL shall consider the unit rate quoted by bidder against those item(s) only for evaluation of bidder's package price for the enquiry.</p>	Yes
15	<p><b>Reverse Auction :</b> BHEL shall 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.</p> <p>Reverse Auction will be conducted if two or more bidders are techno-commercially qualified. The techno-commercially qualified H-1 will not be allowed to participate in RA. In case more than one H-1 bidder quote the same rate, the Price Offer received last, as per the time log of the Portal, shall be removed first, on the principle of last in, first out by the system.</p> <p>However, H-1 will be allowed to participate in RA in the following cases:</p> <ol style="list-style-type: none"> <li>If number of techno-commercially qualified bidders are only 2 or 3.</li> <li>In case Primary product of only one OEM is left in contention for participation in RA on elimination of H-1 .</li> <li>For cases where there are more than 3 techno-commercially qualified bidders, if lowest bidder in sealed price bid is non-MSE and H-1 is eligible MSE and H-1 price is coming within price band of 15% of Non-MSE lowest bidder.</li> <li>For cases where there are more than 3 techno-commercially qualified bidders, if lowest bidder in sealed price bid is non-MII and H-1 is eligible MII and H-1 price is coming within price band of 20% of Non-MII lowest bidder.</li> </ol>	Noted
16	<p><b>Packing Instruction:</b>  Utmost care must be exercised in packing and transporting the finished material, PO NO / Gross weight / Net weight should be mentioned in bold letters, on each case / Box. Packing list shall be furnished along with each consignment.</p>	Yes

17	<p><b>Basis for deciding lowest (L1) offer:</b></p> <p>Only offers meeting the terms and conditions of the enquiry will be considered.</p> <p>All the offers shall be compared for total cost to BHEL stores.</p> <p>In the course of evaluation, if more than one bidder happens to occupy L-1 status effective L-1 will be decided by soliciting discounts from the respective L-1 bidders in sealed envelope and will be open in tender room. In case more than one bidder happens to occupy the L-1 status even after soliciting discounts, the L-1 bidder shall be decided by a toss/ draw of lots, in presence of the respective L-1 bidders or their representatives. Ranking will be done accordingly. BHELs decision in such situations shall be final and binding.</p> <p>Offers having deviations to the terms and conditions will be suitably loaded or liable to be rejected.</p>	Yes
18	<b>Guarantee/Warranty</b> requirements : As per BP200102C	Yes
19	Contact person & Contact number (Mobile & Landline)	
20	Email ID of contact person	
21	It is not necessary that PO will be placed for all the items. PO will be placed for items only for which customer requirement exists.	Yes
22	PO No. & Material code may be mentioned on packing box else material may be rejected by store.	Yes
23	In addition to above, BHEL Bhopal's General terms & conditions BP200102c from a part of tender. A copy of same can be downloaded / seen from <a href="https://bpl.bhel.com/mm/asc_docs/BP_200102.pdf">https://bpl.bhel.com/mm/asc_docs/BP_200102.pdf</a> or ON <a href="https://www.bhel.com/sites/default/files">https://www.bhel.com/sites/default/files</a>	Yes
24	Any deviations to above T&C will not be accepted, is so your offer will be suitably loaded before evaluation.	Yes
25	Above conditions supersede any T&C quoted by vendor against subject enquiry.	Yes
26	<p><b>Following Documents are required for evaluation along with offer:-</b></p> <p>Compliance to technical specification.</p> <p>Documents mentioned in PQC.</p> <p>Catalogues of items quoted, if any</p> <p>Compliance of Commercial T&amp;C ; Annexure-II</p> <p>Compliance of GTC BP200102C</p> <p>Make in India Declaration (as per format attached)</p> <p>MSE (UDYAM) Certificate, if applicable</p>	

**\*NOTE:** For supply orders placed on Indian Suppliers: Irrespective of invoice value, you must upload dispatch and invoice details on the BHEL SUVIDHA portal ([suvidha.bhel.in](http://suvidha.bhel.in)) prior to dispatch. All documents listed in the PO checklist, along with additional supporting documents, must be uploaded on the portal.

Please submit offer in line with above terms and conditions otherwise offer may be rejected

**Bidder's seal & Sign**