

## Bid Document

| <b>Bid Details</b>   |   |
|--|---|
| <b>Bid End Date/Time</b>   | 21-01-2023 16:00:00   |
| <b>Bid Opening Date/Time</b>   | 21-01-2023 16:30:00   |
| <b>Bid Offer Validity (From End Date)</b>                                    | 75 (Days)   |
| <b>Ministry/State Name</b>   | Ministry Of Heavy Industries And Public Enterprises   |
| <b>Department Name</b>   | Department Of Heavy Industry  |
| <b>Organisation Name</b>   | Bharat Heavy Electricals Limited (bhel)   |
| <b>Office Name</b>   | 10380038-heavy Plates & Vessels Plant   |
| <b>Total Quantity</b>  | 20  |
| <b>Item Category</b>   | L793514801301001 , L793514801302001   |
| <b>BOQ Title</b>   | Supply of Sight Door Assemblies and Sight Glass for Indmax Unit for IOCL Panipat Project  |
| <b>MSE Exemption for Years of Experience and Turnover</b>                    | No  |
| <b>Startup Exemption for Years of Experience and Turnover</b>                | No  |
| <b>Document required from seller</b>   | Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC),Additional Doc 3 (Requested in ATC),Additional Doc 4 (Requested in ATC),Compliance of BoQ specification and supporting document<br>*In case any bidder is seeking exemption from Experience / Turnover Criteria, the supporting documents to prove his eligibility for exemption must be uploaded for evaluation by the buyer |
| <b>Bid to RA enabled</b>   | Yes   |
| <b>RA Qualification Rule</b>   | 50% Lowest Priced Technically Qualified Bidders   |
| <b>Type of Bid</b>   | Two Packet Bid  |
| <b>Primary product category</b>  | L793514801301001  |
| <b>Time allowed for Technical Clarifications during technical evaluation</b> | 2 Days  |
| <b>Payment Timelines</b>   | Payments shall be made to the Seller within <b>90</b> days of issue consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10 days time as provided in clause 12 of GeM GTC)   |
| <b>Evaluation Method</b>   | Total value wise evaluation   |

### EMD Detail

|          |    |
|----------|----|
| Required | No |
|----------|----|

## ePBG Detail

|          |    |
|----------|----|
| Required | No |
|----------|----|

### Splitting

Bid splitting not applied.

### MII Purchase Preference

|                         |     |
|-------------------------|-----|
| MII Purchase Preference | Yes |
|-------------------------|-----|

### MSE Purchase Preference

|                         |     |
|-------------------------|-----|
| MSE Purchase Preference | Yes |
|-------------------------|-----|

1. Preference to Make In India products (For bids < 200 Crore): 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 is denoted in the bid document. If the bidder wants to avail the Purchase preference, the bidder must upload a certificate from the OEM 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. In case the bid value is more than Rs 10 Crore, the declaration relating to percentage of local content shall be certified by the statutory auditor or cost auditor, if the OEM is a company and by a practicing cost accountant or a chartered accountant for OEMs other than companies as per the Public Procurement (preference to Make-in -India) order 2017 dated 04.06.2020. Only Class-I and Class-II Local suppliers as per MII order dated 4.6.2020 will be eligible to bid. Non - Local suppliers as per MII order dated 04.06.2020 are not eligible to participate. However, eligible micro and small enterprises will be allowed to participate. In case Buyer has selected Purchase preference to Micro and Small Enterprises clause in the bid, the same will get precedence over this clause.

2. Purchase preference to Micro and Small Enterprises (MSEs): Purchase preference will be given to MSEs as defined in Public Procurement Policy for Micro and Small Enterprises (MSEs) Order, 2012 dated 23.03.2012 issued by Ministry of Micro, Small and Medium Enterprises and its subsequent Orders/Notifications issued by concerned Ministry. If the bidder wants to avail the Purchase preference, the bidder must be the manufacturer of the offered product in case of bid for supply of goods. Traders are excluded from the purview of Public Procurement Policy for Micro and Small Enterprises. In respect of bid for Services, the bidder must be the Service provider of the offered Service. Relevant documentary evidence in this regard shall be uploaded along with the bid in respect of the offered product or service. If L-1 is not an MSE and MSE Seller (s) has/have quoted price within L-1+ 15% (Selected by Buyer) of margin of purchase preference /price band defined in relevant policy, such Seller shall be given opportunity to match L-1 price and contract will be awarded for 100%(selected by Buyer) percentage of total QUANTITY.

3. Estimated Bid Value indicated above is being declared solely for the purpose of guidance on EMD amount and for determining the Eligibility Criteria related to Turn Over, Past Performance and Project / Past Experience etc. This has relevance or bearing on the price to be quoted by the bidders and is also not going to have any impact on bid participation. Also this is not going to be used as a criteria in determining reasonableness of quoted prices which would be determined by the buyer based on its own assessment of reasonableness and based on competitive prices received in Bid / RA process.

4. Reverse Auction would be conducted amongst first 50% of the technically qualified bidders arranged in the order of prices from lowest to highest. Number of sellers eligible for participating in RA would be rounded off to next higher integer value if number of technically qualified bidders is odd (e.g. if 7 bids are technically qualified, then RA will be conducted amongst L-1 to L-4). In case number of technically qualified bidders are 2 or 3, RA will be between all without any elimination. If Buyer has chosen to split the bid amongst N sellers, then minimum N sellers would be taken to RA round. In case Primary products of only one OEM are left in contention for participation in RA based on lowest 50% bidders qualifying for RA, the number of sellers qualifying for RA would be increased to get at least products of one more OEM (directly participated or through its reseller) if available. Further, if bid(s) of any seller(s) eligible for N

preference is / are coming within price band of 15% of Non MSE L-1 or if bid of any seller(s) eligible for Make in India preference is / are coming within price band of 20% of non MII L-1, then such MSE / Make in India seller shall also be allowed to participate in the RA process.

### **L793514801301001**

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)**

|            |           |
|------------|-----------|
| Brand Type | Unbranded |
|------------|-----------|

#### **Technical Specifications**

|                               |                           |
|-------------------------------|---------------------------|
| <b>Specification Document</b> | <a href="#">View File</a> |
| <b>BOQ Detail Document</b>    | <a href="#">View File</a> |

Advisory-Please refer attached BOQ document for detailed consignee list and delivery period.

#### **Consignees/Reporting Officer and Quantity**

| <b>S.No.</b> | <b>Consignee/Reporting Officer</b> | <b>Address</b>  | <b>Quantity</b> | <b>Delivery Days</b> |
|--------------|------------------------------------|---|-----------------|----------------------|
| 1            | Jayanti Rama Subrahmanyam          | 530012,Bharat Heavy Electricals Limited Heavy Plates and Vessels Plant (A Government of India Enterprise) Visakhapatnam - 530012 (AP), India. | 10              | 56                   |

### **L793514801302001**

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively)**

|            |           |
|------------|-----------|
| Brand Type | Unbranded |
|------------|-----------|

#### **Technical Specifications**

|                               |                           |
|-------------------------------|---------------------------|
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### Buyer Added Bid Specific Terms and Conditions

#### 1. Generic

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

#### 2. Buyer Added Bid Specific ATC

Buyer Added text based ATC clauses

RFQ/ Enquiry No.: H132300003 dtd 06.01.2023

Material: Supply of Sight Door Assemblies and Sight Glass for Indmax Unit for IOCL Panipat Project (S 7935)

### Pre-Qualification Criteria

- 
1. Offers from Customer approved vendors for this project only shall be considered for tender evaluation.
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### INSTRUCTIONS TO BIDDERS (ITB)

1. Bidder shall submit Categorical Confirmation of PQC, ITB, Special Terms and Conditions TDC/Technical documents. Vendor shall comply to all the additional clauses mentioned in GeM B Document. The offers of those Vendors who do not comply with all the Clauses in total are likely to be rejected. Documents submitted with the offer shall be signed and stamped on each page by authorized representative of the vendor.

2. Bidder shall follow GeM general terms and conditions and submit the offer at <https://gem.gov.in/page/detail/34>.

3. All the terms and conditions mentioned in ITB, Special terms and conditions, Technical document: TDC shall supersede any other similar terms quoted elsewhere.

4. **QUOTED PRICE: - Bidder shall quote the Price inclusive of Freight, P&F, Transit Insurance and other charges (GeM transaction charges) including GST.**

5. Items / Works to be supplied against this tender enquiry are as per given BOQ.

| Item Number | Item Title           | Item Description                             | Item Quantity | Unit of Measure | Delivery Period (In number of days) |
|-------------|----------------------|--|---------------|-----------------|-------------------------------------|
| 1           | L79351480130<br>1001 | SIGHT DOOR ASSY WITH GLASS -<br>120x220 OPNG | 10            | NO              | 56                                  |
| 2           | L79351480130<br>2001 | SIGHT GLASS                                  | 10            | NO              | 56                                  |

6. **Scope of supply and work has to be strictly as per provided TDC / Technical specification.**

7. Mandatory Documents to be uploaded by Bidder:

- a. Signed & stamped copy of PQC, ITB, Special Terms & Conditions, TDC / Technical documents and vendors offer.

8. Contact Details: - For any Technical queries: Mr. Pabitra Kumar Sahoo (0891-288 1157), For commercial queries: Mr. N V Rajesh Kumar M (0891-288 1316).

#### **SPECIAL TERMS AND CONDITIONS**

A. **INSPECTION: By BHEL / BHEL Authorized TPIA and/or Customer TPIA as per ITP/QAP.** TPIA Charges will be borne by BHEL, provided Inspection is carried out in India.

Supplier needs to register at BHEL online portal i.e. [www.cqir.bhel.in](http://www.cqir.bhel.in) for offering Inspection call as and when material is ready according to contract. On readiness of ordered material, the supplier shall raise inspection call request with a minimum period of 15 working days to the authorized representative of the purchaser for inspection / witnessing the testing as envisaged in P.O. Inspection Charges shall be borne by BHEL if inspection is within India.

BHEL representative either from HPVP Unit or Corporate Quality is authorized to carry out audits of supplier's works before providing the dispatch clearance.

After completion of the Inspection at works respectively, suppliers need to send the scanned copies TC's, Inspection reports and other applicable Test Reports in accordance with TDC to BHEL with due endorsement by Inspecting authority for obtaining the material dispatch clearance.

BHEL or its authorized representative shall be entitled to carry out inspection of material and workmanship at supplier's premises or at his sub-contractor's premises at all reasonable times during execution of the contract and before dispatch clearance; Such inspection, examination and testing, made, shall not absolve the vendor from his obligations under the contract.

**B. DELIVERY LOCATION: FOR IOCL Panipat Project Site.**

**C. DELIVERY PERIOD: 8 weeks from the date of PO.**

**D. PAYMENT TERMS:**

| S.No | Type of Bidder                   | Payment Terms ( Number of Days)                 |
|------|----------------------------------|---|
| 1    | Micro & Small Enterprises (MSEs) | 45 Days from date of material acceptance (CRAC) |
| 2    | Medium Enterprises               | 60 Days from date of material acceptance (CRAC) |
| 3    | Non MSME                         | 90 Days from date of material acceptance (CRAC) |

**E. DOCUMENTATION:** In the event of order, Vendor should submit data sheet, drawings and QAP to BHEL within 15 days from PO date for approval.

**F. GUARANTEE:** Vendor should guarantee the material against all design and manufacturing defects and performance for a period of 18 months from the date of supply or 12 months from the date of commissioning whichever is earlier. If any defect is noticed during the above period, the same shall be rectified / replaced free of cost on FOB destination within a reasonable time.

**G. RISK PURCHASE:** The delivery period stated shall be realistic and shall be strictly adhered to. If the delivery terms are not maintained and if on the account, this company is forced to buy the materials elsewhere to avoid a loss or damage that the company may sustain thereby the purchaser is entitled to procure the material at the risk and cost of the seller, which shall be recovered from them out of due of this PO / Contract, any other PO / Contract with BHEL and balance amount if any shall be required to be deposited by the vendor.

**H. LINKING UP OF OLD ISSUES:** In case if bidder has any outstanding problems with earlier supplies, bidder should not linkup against this enquiry or PO at later stages.

**I. CONFLICT OF INTEREST AMONG BIDDERS / AGENTS:**

“A bidder shall not have conflict of interest with others bidders. Such conflict of Interest can lead to anti competitive practices to the detriment of procuring Entity’s interests. The bidder found to have 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 put 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 bidder is 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 manufacturer one agent cannot represent two manufacturers or quote on their behalf in a particular tender enquiry. One manufacturer can also authorize only one agent/dealer. There can be only one agent 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 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, 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.”

**J. Other clauses like LD clause, Force Majeure, Rejection etc. shall be as GeM General terms and conditions.**

**3. Generic**

Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address FOR IOCL PANIPAT PROJECT SITE.

**4. Generic**

Bidders are advised to check applicable GST on their own before quoting. Buyer will not take any responsibility in this regards. GST reimbursement will be as per actuals or as per applicable rates (whichever is lower), subject to the maximum of quoted GST %.

**5. Generic**

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

#### 6. **Generic**

While generating invoice in GeM portal, the seller must upload scanned copy of GST invoice and the screenshot of GST portal confirming payment of GST.

## **Disclaimer**

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority Buyer Organization, whereby Buyer organization is solely responsible for the impact of these clauses on the bidding process, its outcome, and consequences thereof including any eccentricity / restriction arising in the bidding process due to these ATCs and due to modification of technical specifications and / or terms and conditions governing the bid. Any clause(s) incorporated by the Buyer regarding following shall be treated as null and void and would not be considered as part of bid:-

1. Definition of Class I and Class II suppliers in the bid not in line with the extant Order / Office Memorandum issued by DPIIT in this regard.
2. Seeking EMD submission from bidder(s), including via Additional Terms & Conditions, in contravention to exemption provided to such sellers under GeM GTC.
3. Publishing Custom / BOQ bids for items for which regular GeM categories are available without any Category item bunched with it.
4. Creating BoQ bid for single item.
5. Mentioning specific Brand or Make or Model or Manufacturer or Dealer name.
6. Mandating submission of documents in physical form as a pre-requisite to qualify bidders.
7. Floating / creation of work contracts as Custom Bids in Services.
8. Seeking sample with bid or approval of samples during bid evaluation process.
9. Mandating foreign / international certifications even in case of existence of Indian Standards without specifying equivalent Indian Certification / standards.
10. Seeking experience from specific organization / department / institute only or from foreign / export experience.
11. Creating bid for items from irrelevant categories.
12. Incorporating any clause against the MSME policy and Preference to Make in India Policy.
13. Reference of conditions published on any external site or reference to external documents/clauses.
14. Asking for any Tender fee / Bid Participation fee / Auction fee in case of Bids / Forward Auction, as the case may be.

Further, if any seller has any objection/grievance against these additional clauses or otherwise on any aspect of this bid, they can raise their representation against the same by using the Representation window provided in the bid details field in Seller dashboard after logging in as a seller within 4 days of bid publication on GeM. Buyer is duty bound to reply to all such representations and would not be allowed to open bids if he fails to reply to such representations.

[This Bid is also governed by the General Terms and Conditions](#)

In terms of GeM GTC clause 26 regarding Restrictions on procurement from a bidder of a country which shares a land border with India, any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority. While participating in bid, Bidder has to undertake compliance of this and any false declaration and non-compliance of this would be a ground for immediate termination of the contract and further legal action in accordance with the laws.

**---Thank You---**

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