



Bid Number/बोली क्रमांक (बिड संख्या):  
GEM/2023/B/4374274  
Dated/दिनांक : 20-12-2023

### Bid Document/ बिड दस्तावेज़

| Bid Details/बिड विवरण  |   |
|--|---|
| Bid End Date/Time/बिड बंद होने की तारीख/समय  | 30-12-2023 19:00:00   |
| Bid Opening Date/Time/बिड खुलने की तारीख/समय   | 30-12-2023 19:30:00   |
| Bid Offer Validity (From End Date)/बिड पेशकश वैधता (बंद होने की तारीख से)                | 120 (Days)  |
| Ministry/State Name/मंत्रालय/राज्य का नाम  | Ministry Of Heavy Industries And Public Enterprises   |
| Department Name/विभाग का नाम   | Department Of Heavy Industry  |
| Organisation Name/संगठन का नाम   | Bharat Heavy Electricals Limited (bhel)   |
| Office Name/कार्यालय का नाम  | 10110009-heap, Haridwar   |
| Total Quantity/कुल मात्रा  | 36  |
| Item Category/मद केटेगरी   | W96414905259 PT SMART EX PROOF 0 TO 10 KG PER CM2 , W96414905267 PT SMART NON EX PROOF 0 TO 10 KG PER CM2 , W96414905275 PT SMART NON EX PROOF 0 TO 16 KG PER CM2 , W96414905356 DPT SMART NON EX PROOF 0 TO 2.5 KG PER CM2 , W96414906450 PRESSURE TRANSMITTER 0 TO 6 KG PER CM2 NON EXPLOSION PROOF , W96414906476 PRESSURE TRANSMITTER minus 1 TO 1 BAR EX PROOF , W96414906468 PRESSURE TRANSMITTER minus 30 TO 0 MILLI BAR EX PROOF , W96414905283 PT SMART EX PROOF 0 TO 250 KG PER CM2 , W96414905348 DPT SMART NON EX PROOF 0 TO 1point6 KG PER CM2 |
| BOQ Title/बीओक्यू शीर्षक   | PT SMART and Pressure Transmitters  |
| MSE Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से एमएसई छूट         | No  |
| Startup Exemption for Years of Experience and Turnover/ अनुभव के वर्षों से स्टार्टअप छूट | No  |
| Document required from seller/विक्रेता से मांगे गए दस्तावेज़                             | Certificate (Requested in ATC),Additional Doc 1 (Requested in ATC),Additional Doc 2 (Requested in ATC),Additional Doc 3 (Requested in ATC)<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  |
| Bid to RA enabled/बिड से रिवर्स नीलामी सक्रिय किया                                       | Yes   |
| RA Qualification Rule  | 50% Lowest Priced Technically Qualified Bidders   |
| Type of Bid/बिड का प्रकार  | Two Packet Bid  |

**Bid Details/बिड विवरण**

|   |  |
|---|--|
| <b>Primary product category</b>   | W96414905259 PT SMART EX PROOF 0 TO 10 KG PER CM2  |
| <b>Time allowed for Technical Clarifications during technical evaluation/तकनीकी मूल्यांकन के दौरान तकनीकी स्पष्टीकरण हेतु अनुमत समय</b> | 2 Days   |
| <b>Inspection Required (By Empanelled Inspection Authority / Agencies pre-registered with GeM)</b>                                      | No   |
| <b>Payment Timelines</b>  | Payments shall be made to the Seller within <b>90</b> days of issue of 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/मूल्यांकन पद्धति</b>   | Total value wise evaluation  |

**EMD Detail/ईएमडी विवरण**

|                   |    |
|-------------------|----|
| Required/आवश्यकता | No |
|-------------------|----|

**ePBG Detail/ईपीबीजी विवरण**

|                   |    |
|-------------------|----|
| Required/आवश्यकता | No |
|-------------------|----|

**Splitting/विभाजन**

Bid splitting not applied/बोली विभाजन लागू नहीं किया गया.

**MSE Purchase Preference/एमएसई खरीद वरीयता**

|   |    |
|---|----|
| MSE Purchase Preference/एमएसई खरीद वरीयता | No |
|---|----|

**Details of the Competent Authority for MSE**

|  |   |
|--|---|
| Name of Competent Authority                                      | Dushyant Kumar  |
| Designation of Competent Authority                               | MANAGER   |
| Office / Department / Division of Competent Authority            | PPX-EM  |
| CA Approval Number   | 20231623W1  |
| Competent Authority Approval Date                                | 20-12-2023  |
| Brief Description of the Approval Granted by Competent Authority | Approval has been granted as per the purchase policy / guidelines, Item non divisible in Nature |

Competent Authority Approval for not opting Micro and Small Enterprises Preference : [View Document](#)

**MII Purchase Preference/एमआईआई खरीद वरीयता**

|  |     |
|--|-----|
| MII Purchase Preference/एमआईआई खरीद वरीयता | 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 .The buyers are advised to refer the OM No.F.1/4/2021-PPD dated 18.05.2023.

[OM No.1 4 2021 PPD dated 18.05.2023](#) for compliance of Concurrent application of Public Procurement Policy for Micro and Small Enterprises Order, 2012 and Public Procurement (Preference to Make in India) Order, 2017.

2. 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 no 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.

3. 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 MSE 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.

**W96414905259 PT SMART EX PROOF 0 TO 10 KG PER CM2**

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)**

**Technical Specifications/तकनीकी विशिष्टियाँ**

|                               |                           |
|-------------------------------|---------------------------|
| <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/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्र**

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता  | Quantity/मात्र | Delivery Days/डिलीवरी के दिन |
|----------------|---|--|----------------|------------------------------|
| 1              | Paras   | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 5              | 75                           |

**W96414905267 PT SMART NON EX PROOF 0 TO 10 KG PER CM2**

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)

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|------------------------|---------------------------|
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**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्र**

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता  | Quantity/मात्र | Delivery Days/डिलीवरी के दिन |
|----------------|---|--|----------------|------------------------------|
| 1              | Paras   | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 10             | 75                           |

**W96414905275 PT SMART NON EX PROOF 0 TO 16 KG PER CM2**

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)

**Technical Specifications/तकनीकी विशिष्टियाँ**

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

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**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

| <b>S.No./क्र. सं.</b> | <b>Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी</b> | <b>Address/पता</b>  | <b>Quantity/मात्रा</b> | <b>Delivery Days/डिलीवरी के दिन</b> |
|-----------------------|--|---|------------------------|-------------------------------------|
| 1                     | Paras  | 249403, Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 7                      | 75                                  |

**W96414905356 DPT SMART NON EX PROOF 0 TO 2.5 KG PER CM2**

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)**

**Technical Specifications/तकनीकी विशिष्टियाँ**

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

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**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता  | Quantity/मात्रा | Delivery Days/डिलीवरी के दिन |
|----------------|---|--|-----------------|------------------------------|
| 1              | Paras   | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 2               | 75                           |

### W96414906450 PRESSURE TRANSMITTER 0 TO 6 KG PER CM2 NON EXPLOSION PROOF

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)

#### Technical Specifications/तकनीकी विशिष्टियाँ

|                        |                           |
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#### Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता  | Quantity/मात्रा | Delivery Days/डिलीवरी के दिन |
|----------------|---|--|-----------------|------------------------------|
| 1              | Paras   | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 2               | 75                           |

### W96414906476 PRESSURE TRANSMITTER Minus 1 TO 1 BAR EX PROOF

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)

#### Technical Specifications/तकनीकी विशिष्टियाँ

|                        |                           |
|------------------------|---------------------------|
| Specification Document | <a href="#">View File</a> |
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**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता  | Quantity/मात्रा | Delivery Days/डिलीवरी के दिन |
|----------------|---|--|-----------------|------------------------------|
| 1              | Paras   | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 2               | 75                           |

**W96414906468 PRESSURE TRANSMITTER Minus 30 TO 0 MILLI BAR EX PROOF**

(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)

**Technical Specifications/तकनीकी विशिष्टियाँ**

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

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

**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता  | Quantity/मात्रा | Delivery Days/डिलीवरी के दिन |
|----------------|---|--|-----------------|------------------------------|
| 1              | Paras   | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 3               | 75                           |

**W96414905283 PT SMART EX PROOF 0 TO 250 KG PER CM2**

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)**

**Technical Specifications/तकनीकी विशिष्टियाँ**

|                               |                           |
|-------------------------------|---------------------------|
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**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

| <b>S.No./क्र. सं.</b> | <b>Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी</b> | <b>Address/पता</b>   | <b>Quantity/मात्रा</b> | <b>Delivery Days/डिलीवरी के दिन</b> |
|-----------------------|--|--|------------------------|-------------------------------------|
| 1                     | Paras  | 249403,Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 2                      | 75                                  |

**W96414905348 DPT SMART NON EX PROOF 0 TO 1point6 KG PER CM2**

**(Minimum 50% and 20% Local Content required for qualifying as Class 1 and Class 2 Local Supplier respectively/क्रमशः श्रेणी 1 और श्रेणी 2 के स्थानीय आपूर्तिकर्ता के रूप में अर्हता प्राप्त करने के लिए आवश्यक)**

**Technical Specifications/तकनीकी विशिष्टियाँ**

|                               |                           |
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| <b>Specification Document</b> | <a href="#">View File</a> |
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**Consignees/Reporting Officer/परेषिती/रिपोर्टिंग अधिकारी and/ तथा Quantity/मात्रा**

| S.No./क्र. सं. | Consignee Reporting/Officer/ परेषिती/रिपोर्टिंग अधिकारी | Address/पता   | Quantity/मात्रा | Delivery Days/डिलीवरी के दिन |
|----------------|---|---|-----------------|------------------------------|
| 1              | Paras   | 249403, Shipping Section, Central Plant Stores, HEEP, BHEL, Haridwar-249403 Uttarakhand | 3               | 75                           |

## Buyer Added Bid Specific Terms and Conditions/क्रेता द्वारा जोड़ी गई बिड की विशेष शर्तें

### 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. Generic

After award of contract - Successful Bidder shall have to get Detailed Design Drawings approved from buyer before starting fabrication. Successful Bidder shall submit Detailed Design Drawings for Buyer's approval, within 5 days of award of contract. Buyer shall, either approve the drawings or will provide complete list of modification required in the drawings within 10 days. Seller shall be required to ensure supply as per approved Drawings with modifications as communicated by Buyer. If there is delay from buyer side in approval of drawing- the delivery period shall be refixed without LD for the period of delay in approval of Drawing.

### 3. 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 %.

### 4. Generic

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

- Copy of PAN Card.
- Copy of GSTIN.
- Copy of Cancelled Cheque.
- Copy of EFT Mandate duly certified by Bank.

### 5. Generic

Supplier shall ensure that the Invoice is raised in the name of Consignee with GSTIN of Consignee only.

### 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.

### 7. Inspection

**Nominated Inspection Agency:** On behalf of the Buyer organization, any one of the following

Inspection Agency would be conducting inspection of stores before acceptance:  
Pre-dispatch Inspection at Seller Premises (applicable only if pre-dispatch inspection clause has been selected in ATC):

BY BHEL nominated inspection agency as per bid remarks

Post Receipt Inspection at consignee site before acceptance of stores:  
BY BHEL

**8. Certificates**

Bidder's offer is liable to be rejected if they don't upload any of the certificates / documents sought in the Bid document, ATC and Corrigendum if any.

**9. Certificates**

The bidder is required to upload, along with the bid, all relevant certificates such as BIS licence, type test certificate, approval certificates and other certificates as prescribed in the Product Specification given in the bid document.

**10. Buyer Added Bid Specific ATC**

Buyer uploaded ATC document [Click here to view the file.](#)

**11. Buyer Added Bid Specific ATC**

Buyer Added text based ATC clauses

**QUALITY REQUIREMENTS:**

Ø PRICE BIDS WILL BE OPENED ONLY OF CUSTOMER APPROVED VENDORS.

Ø FOR NEW VENDORS, VENDOR APPROVAL IS REQUIRED FROM WB PDCL. NEW VENDORS TO PROVIDE CREDENTIALS FOR APPROVAL

Ø FOR INDIGENOUS VENDOR - INSPECTION BY BHEL NOMINATED INSPECTION AGENCY (BVIL) AS PER BHEL SQP "QA/BE/QP/902, REV . 12". VENDOR HAS TO ENDORSE THE ATTACHED QP AND SUBMIT THE SAME ALONG WITH OFFER.

Ø FOR FOREIGN VENDOR- TESTING AND CERTIFICATION IS REQUIRED AS PER ORDERING DRAWING & SPECIFICATION.

Ø FOR HAND HELD COMMUNICATOR (MAT. CODE W90313376050), T.C./C.O.C AS PER ORDERING DOCUMENTS IS REQUIRED.

**APPLICABLE TERMS & CONDITION SHALL BE AS FOLLOWS:**

1. AS PER GEM TERMS AND CONDITION, OFFER PRICES ON THE GEM WILL BE ON ALL-INCLUSIVE BASIS i.e. INCLUDING ALL TAXES, DUTIES, LOCAL LEVIES/ TRANSPORTATION/ LOADING / UNLOADING CHARGES ETC. UP TO BHEL, HARIDWAR.
2. GUARANTEE CERTIFICATE: AS PER RESPECTIVE BHEL ORDERING DOCUMENT (SPECIFICATION/DRAWINGS) IS REQUIRED.
3. PAYMENT TERM. 100% PAYMENT WILL BE MADE AFTER RECEIPT AND ACCEPTANCE OF MATERIAL AND WITHIN 90 DAYS FROM THE DATE OF INVOICE SUBJECT TO SUBMISSION OF NON-DISCREPANT DOCUMENTS WITHIN 15 DAYS OF SUPPLY AS PER TERMS AND CONDITIONS OF PURCHASE ORDER. IN CASE ANY DISCREPANCY FOUND IN THE DOCUMENTS, BHEL WILL NOTIFY THE SAME TO VENDOR WITHIN 7 DAYS OF RECEIPT. VENDOR HAS TO CLEAR ALL THE DISCREPANCIES IN ONE GO WITHIN 7 DAYS THEREAFTER ELSE THE PAYMENT OF VENDOR MAY GET DELAYED.
  - a. FOR MSEs (COVERED UNDER MSME ACT) WHICH ARE REGISTERED AND PERIODICALLY RE-NEWED WITH BHEL, THE PAYMENT TERM IS 45 DAYS;
  - b. FOR MEDIUM ENTERPRISES THE PAYMENT TERM IS 60 DAYS AND FOR NON-MSMES THE PAYMENT TERM IS 90 DAYS.
4. DELIVERY TERM WILL BE AS PER GEM T&Cs. ALSO THE DELIVERY PERIOD SHALL BE AS PER BID/ENQUIRY.
5. VENDORS / BIDDERS TO PROVIDE THE DOCUMENTS AS PER PRE-QUALIFICATION REQUIREMENTS (PQR).
6. TEST CERTIFICATES / GUARANTEE CERTIFICATES / COC WHATEVER APPLICABLE SHALL BE PROVIDED ALONG WITH DISPATCH DOCUMENTS.
7. **RISK PURCHASE CLAUSE:** IN CASE OF ABNORMAL DELAYS (BEYOND THE MAXIMUM LATE DELIVERY PERIOD AS PER LD CLAUSE) IN SUPPLIES / DEFECTIVE SUPPLIES OR NON-FULFILLMENT OF ANY OTHER TERMS AND CONDITIONS GIVEN IN PURCHASE ORDER, BHEL MAY CANCEL THE PURCHASE ORDER IN FULL OR PART THEREOF, AND MAY ALSO MAKE THE PURCHASE OF SUCH MATERIAL FROM ELSEWHERE / ALTERNATIVE SOURCE AT THE RISK AND COST OF THE SUPPLIER. BHEL WILL TAKE ALL REASONABLE STEPS TO GET THE MATERIAL FROM ALTERNATE SOURCE AT OPTIMUM COST. IF BIDDER DOES NOT AGREE TO THE ABOVE RISK PURCHASE CLAUSE, BHEL RESERVES THE RIGHT TO REJECT THE OFFER. IN CASE FOR COMPELLING REASONS BHEL ACCEPTS THE OFFER WITHOUT ACCEPTANCE OF THIS CLAUSE BY THE BIDDER AND IN THE EVENTUALITY OF RISK PURCHASE, APPROPRIATE ACTION WILL BE TAKEN AS PER BHEL EXISTANT RULES. THIS WILL BE WITHOUT PREJUDICE TO ANY OTHER RIGHT OF BHEL UNDER THE CONTRACT OR UNDER GENERAL LAW.
8. **ACTION AGAINST BIDDERS / VENDOR / SUPPLIER / CONTRACTOR IN CASE OF DEFAULT:** IN ORDER TO PROTECT THE COMMERCIAL INTERESTS OF BHEL, BHEL SHALL TAKE ACTION AGAINST SUPPLIES / CONTRACTORS BY WAY OF SUSPENSION OF BUSINESS DEALINGS, WHO EITHER FAIL TO PERFORM OR ARE IN DEFAULT WITHOUT ANY REASONABLE CAUSE, CAUSE LOSS OF BUSINESS/ MONEY/ REPUTATION, INDULGE IN MALPRACTICES, CHEATING, BRIBERY, FRAUD OR ANY OTHER MISCONDUCT OR FORMATION OF CARTELS SO AS TO INFLUENCE THE BIDDING PROCESS OR INFLUENCE THE PRICE ETC. SUSPENSION OF BUSINESS DEALINGS COULD BE IN THE FORM OF "HOLD" OR "BANNING" A SUPPLIER/ CONTRACTOR OR A BIDDER AND SHALL BE AS PER "GUIDELINES FOR SUSPENSION OF BUSINESS DEALINGS WITH SUPPLIERS/CONTRACTORS" AVAILABLE AT BHEL'S WEBSITE [HTTPS://WWW.BHEL.COM/GUIDELINES-SUSPENSIONBUSINESS-DEALINGSSUPPLIERSCONTRACTORS](https://www.bhel.com/guidelines-suspensionbusiness-dealingssupplierscontractors).
9. "A bidder shall not have conflict of interest with other bidders. Such conflict of interest can lead to anti-competitive practices to the detriment of Procuring Entity's interests. The bidder found to have a conflict of interest shall be disqualified from participating in the procurement process."

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 puts 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 parties are 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 manufacturers, one agent cannot represent two manufacturers or quote on their behalf in a particular tender enquiry.

One manufacturer can also authorise only one agent/dealer. There can be only one bid 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 or 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, or 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”.

## **Disclaimer/अस्वीकरण**

The additional terms and conditions have been incorporated by the Buyer after approval of the Competent Authority in 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/ यह बिड सामान्य शर्तों के अंतर्गत भी शासित है](#)

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./जेम की सामान्य शर्तों के खंड 26 के संदर्भ में भारत के साथ भूमि सीमा साझा करने वाले देश के बिडर से खरीद पर प्रतिबंध के संबंध में भारत के साथ भूमि सीमा साझा करने वाले देश का कोई भी बिडर इस निविदा में बिड देने के लिए तभी पात्र होगा जब वह बिड देने वाला सक्षम प्राधिकारी के पास पंजीकृत हो। बिड में भाग लेते समय बिडर को इसका अनुपालन करना होगा और कोई भी गलत घोषणा किए जाने व इसका अनुपालन न करने पर अनुबंध को तत्काल समाप्त करने और कानून के अनुसार आगे की कानूनी कार्रवाई का आधार होगा।

**---Thank You/धन्यवाद---**