

## Bid Corrigendum

GEM/2023/B/3707449-C5

Following terms and conditions supersede all existing "Buyer added Bid Specific Terms and conditions" given in the bid document or any previous corrigendum. Prospective bidders are advised to bid as per following Terms and Conditions:

### Buyer Added Bid Specific Additional Terms and Conditions

1. 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 text based ATC clauses

**Scope Description: SUPPLY OF EH12K SAW COIL WIRE DIA. 4MM**

**BHEL Enquiry No.: H102300010 Dt. 17.07.2023**

**Project: M/s\_FABTECH Vessels/KOD/Columns**

### Corrigendum No. 1 dated 02.08.2023

#### Corrigendum to Item Description

Kindly take note of the following change in item description:

#### **AWS class:**

#### **Original Item Description:**

Item Number	Item Title	Item Description
1	182411242140	EH12K SAW COIL WIRE DIA.4.0MM
2	182411242100	F49P5-EH12K-H8-FLUX

#### **Revised / Corrected Item Description:**

Item Number	Item Title	Item Description
1	182411242140	<b>EH12K (or) EH10K</b> SAW COIL WIRE DIA.4.0MM

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**INSTRUCTIONS TO BIDDERS:**

- a) Bidder shall submit Categorical Confirmation of Pre-Qualification Criteria (if applicable), Special Terms and Conditions and Technical Specifications. Vendor shall comply to all the additional clauses mentioned in GeM Bid 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 authorised representative of the vendor.
- b) Bidder shall follow GeM general term and conditions and submit the offer <https://gem.gov.in/page/detail/34>).
- c) All the terms and conditions mentioned in Special terms and conditions & Technical Specifications shall supersede any other similar terms quoted elsewhere."
- d) QUOTED PRICE: - Bidder shall quote the Price inclusive of Freight, P&F, Transit Insurance, Inspection charges (if applicable), GST, GeM transaction charges after order placement and any other taxes.
- e) Contact Details: - For any Technical queries: Mr. P V D Ramesh (0891-288 1394/1395) / For any commercial/GeM queries: Mr. M V Ramana Murty (0891-288 1311). Vendor shall provide contact details with offer for further correspondence.
- f) Vendor should submit either No Deviation Certificate or Deviation sheet mandatorily.

**SPECIAL TERMS AND CONDITIONS:**

- 1) **Delivery Basis: FOR BHEL, HPVP- Stores, Visakhapatnam.**
- 2) **Delivery Period: Delivery period shall be 30 days from the date of Contract to receipt of material.**
- 3) Payment terms: Payment shall be as follows:
  - a) Micro & Small Enterprises (MSEs)-- 45 Days from date of material acceptance (CRAC)
  - b) Medium Enterprises ---60 Days from date of material acceptance (CRAC)
  - c) Non MSME ---90 Days from date of material acceptance (CRAC)
- 4) **Bid Evaluation: Bids shall be evaluated on total package basis.**

**Customer (M/s Fabtech Projects & Engineers Ltd (FPEL)) approved vendors only shall be considered for evaluation. Any other offers received other than approved vendors shall be considered for evaluation based on approval from M/s Fabtech Projects & Engineers Ltd (FPEL).**
- 5) **TDC (Technical Delivery Conditions):** - As per TDC NO. WFEH12K Rev.00 Dt:27.06.2023.

Brand Name (to be specified for both wire & flux)' copper coated solid wire electrode EH12K SAW Wire Dia . 4.0mm of carbon steel & Agglomerate basic fluoride flux FLUX-F49P5-EH12K-H8 for Submerged Arc Welding conforming to ASME Sec II Part-C, 2021 SFA 5.17 EH12K wire & F49P5-EH12K-H8 flux specification - Refer TDC - WFEH12K Rev.00 Dt:27.06.2023.
- 6) Quality Plan: Vendor' has to submit the quality plan for BHEL review and approval.
- 7) Inspection: Inspection will be carried out by BHEL/BHEL's TPIA as per approved QAP.
- 8) Guarantee Clause: Guarantee period shall be 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 FOR delivery location within a reasonable time.
- 9) Offer Rejection: Any deviations in the offer w.r.t payment/LD or any other terms which leads to loading will be liable for rejection. Please note that there is no provision of loading criteria in GeM Portal. Hence, any other documents/quotations will not be considered during evaluation.
- 10) Documentation: During bidding stage, vendor shall submit all the tender documents like TDC, Specificatio

ns, QAP & Special terms and conditions etc. duly signed and stamped. Offers without sign and stamp will not be considered for evaluation. After placement of Contract, Vendor shall submit QAP for our review and approval.

11) LD Clause: As per Standard GeM terms and conditions

12) RISK PURCHASE: The delivery period stated shall be realistic and shall be strictly adhered to. If the deliveries are not maintained and if on the account, this company is forced to buy the materials elsewhere to avoid any 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.

13) All other clauses shall be as per GeM General terms and conditions.

14) 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 a 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 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 authorize 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

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

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 document shall overwrite all previous versions of Bid Specific Additional Terms and Conditions.

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