

TENDER ENQUIRY LETTER (NIT)

Ref. Enquiry No.: PE/PG/YAD/E-6710/2021 Dated 30/07/2021

Bid Submission Due Date & Time:
09.08.2021 (by 14:00 hrs IST)

Part-1 Opening Date & Time:
09.08.2021 (by 16:30 hrs IST)

Dear Sir,

Subject: Tender Enquiry for “LT XLPE POWER CABLES” as per Technical Specification No. PE-TS-417-507-E012 Rev. 01 for 5X800 MW YADADRI TPP.

BHEL is pleased to invite offer for **“LT XLPE POWER CABLES”** package of 5X800 MW YADADRI TPP through E-procurement route. Please submit your best quotation/offer online via e-procurement portal (<https://eprocurebhel.co.in/nicgep/app>). Detailed Scope of work & Equipment details shall be as per Technical Specification no. PE-TS-417-507-E012 Rev 01 and other tender documents hosted on <https://www.bhel.com/tenders>, <https://pem.bhel.com/Current Tender.aspx> & <https://eprocurebhel.co.in/nicgep/app> /enclosed herewith.

Your best quotation/offer shall be submitted in two parts (Techno-Commercial Bid and Price Bid) strictly as per Clause-2.0 of the **“Instructions to Bidders”** of GCC, Rev. 07 (<https://pem.bhel.com/gcc.aspx>) online via e-Procurement portal (<https://eprocurebhel.co.in/nicgep/app>) for the under mentioned equipment/system.

Item Description	Project	Technical Specification
LT XLPE POWER CABLES	5X800 MW YADADRI TPP	PE-TS-417-507-E012 Rev 01

All corrigenda, addenda, amendments, time extensions, clarifications etc., to the tender will be hosted on websites only (<https://www.bhel.com/tenders>, <https://pem.bhel.com/Current Tender.aspx> & <https://eprocurebhel.co.in/nicgep/app>) under subject tender reference. Bidders are requested to visit the websites constantly to keep themselves updated. Bidders to obtain required Digital Signature Certificate for participating in the subject tender.

It shall be the responsibility of the bidder to ensure that the tender is submitted via e-procurement system (<https://eprocurebhel.co.in/nicgep/app>) on or before the due date and time.

Important Note to be considered by All Bidders:

The offers of the bidders who are on the banned list as also the offers of the bidders, who engage the services of the banned firms, shall be rejected. The list of banned firms is available on BHEL web site www.bhel.com. The list of banned firms is available on BHEL website at following URL: <https://www.bhel.com/list-banned-firms>

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ENQUIRY LETTER (NIT) TERMS AND CONDITIONS

Please refer to GCC Rev. 07 (available at <https://pem.bhel.com/gcc.aspx>), Bidders are requested to go through the same while submitting the offer.

1. Integrity Pact:

Integrity pact is applicable for subject package. IP is a tool to ensure that activities and transactions between the Company and its Bidders/ Contractors are handled in a fair, transparent and corruption free manner. A panel of Independent External Monitors (IEMs) have been appointed by BHEL with the approval of CVC. The names of the IEMs in panel are as follows:

I. Shri Arun Chandra Verma, IPS (Retd.) - acverma1@gmail.com

II. Shri Virendra Bahadur Singh, IPS (Retd.) - vbsinghips@gmail.com

The IP as enclosed is to be submitted (duly signed by authorized signatory) along with techno-commercial bid. Only those bidders who have entered into such an IP with BHEL would be competent to participate in the bidding. In other words, entering into this pact would be a preliminary qualification.

Please refer Section-8 of IP for Role and Responsibilities of IEMs. In case of any complaint arising out of the tendering process, the matter may be referred to the any of the IEMs mentioned above. All correspondence with the IEMs shall be done through email only.

" No routine correspondence shall be addressed to the IEM (phone/ post/ email) regarding the clarifications, time extensions or any other administrative queries, etc. on the tender issued. All such clarification/ issues shall be addressed directly to the tender issuing (procurement) department officials."

2. Pre-Qualifying Requirements:

Bidders have to provide the required details as per TECHNICAL PQR & FINANCIAL PQR in their Techno-Commercial offer and has to note that bids of only those bidders shall be evaluated who meet the Technical & Financial Pre-Qualifying requirements.

- 3. Make In India:** Bidders to note that for this procurement, the local content to categorize a supplier as a Class I Local Supplier / Class II Local Supplier / Non Local supplier and Purchase preference to Class I local supplier, is as defined in Public Procurement (Preference to Make in India), (PPP-MII) Order 2017 dt. 16/09/2020 issued by DPIIT. In case of subsequent orders issued by the nodal ministry, changing the definition of local content for the items of the NIT, the same shall be applicable even if issued after issue of this NIT, but before opening of Part-II bids against this NIT.

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Minimum Local Content - Since this package falls under the category of goods, services or works in respect of which nodal ministry/ department has communicated that there is a sufficient local capacity and competition, **only Class-I local suppliers as defined in the PP (MII) order are eligible to bid.**

Regarding verification of local content, the local supplier at the time of tender, bidding or solicitation shall be required to provide certification as per para 9 of PP-MII order revision dated 16.09.2020.

Following may also please be noted by the bidders:

- a. **Eligibility of Suppliers:** only Class I Local Supplier (as per para no. 3(a) of Public Procurement (Preference to Make in India), (PPP-MII) Order 2017 dt. 16/09/2020 issued by DPIIT)
- b. **Minimum Local Content required for qualifying a bidder as "Class I Local Supplier":** As per para no. 5 of Public Procurement (Preference to Make in India), (PPP-MII) Order 2017 dt. 16/09/2020 issued by DPIIT.

4. This is a conditional tender enquiry. Part-II opening/RA participation of a bidder shall be subjected to the following:

- i) Approval of vendor by end customer i.e. (TSGENCO)
- ii) Techno-Commercial evaluation by BHEL.
- iii) Qualification of Technical & Financial PQR
- iv) Offered item should mandatorily conform to PP-MII order provisions.

5. **Bidders to note that contract of subject tender is proposed to be done with Two (02) vendors in ratio of 70:30 value-wise at L1 FOR site price.**

L1 Rates (Ex works + Freight) shall be counter offered to all (excluding L1) techno-commercially qualified bidders (whose Price Bids are opened to conclude the tender through Reverse Auction) for 30% of order value (FOR site). In case acceptance of counter offer is received from more than one vendor then acceptance shall be considered as per FINAL Reverse Auction Ranking (In case any bidder(s) do(es) not participate in online Reverse Auction, their sealed envelope price bid along with applicable loading, if any, shall be considered for ranking). If none of the bidder accepts counter-offered L1 rates than contract shall be finalized with L1 vendor for 100% value.

Bidders to note that the Ordered Quantities shall be released in Lots by BHEL. In case contracts are awarded in 70:30 split ratio then BHEL shall distribute the quantities of a lot in 70:30 ratio value-wise (FOR Site) to maintain the split ratio of original contracts. However, owing to practical constraints of maintaining drum length (stipulated in BOQ) and small quantity of a particular size, minor quantity adjustments may be done to meet the 70:30 split ratio up to maximum extent. Further, during contract execution, if BHEL finds issue in execution of contracts then split ratio (i.e. 70:30) may be altered to meet the project requirement.

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6. This item/package /system falls under the list of items defined in para 3 of ministry of finance guideline dtd. 20.09.16 (Procurement of items related to Public safety, Health, Critical Security operations & Equipments etc.) & hence criteria of prior experience/Turnover shall be same for all the bidders including startup/MSME.

7. Bidders have to note that following forms the part of Tender Documents:

- General Conditions of Contract (GCC) Rev. 07.
- Technical Specification: PE-TS-417-507-E012 Rev. 01
- Technical PQR & Financial PQR
- Integrity Pact
- PVC Formulae & factors
- Price format
- Special Conditions of Contract (SCC of project)
- NIT CONDITIONS & other Enclosures

Bidders to note that offers shall be submitted strictly in accordance with the requirements of the above Tender Documents & all the above Tender Documents along with post-bid agreements/MoMs (during Techno-Commercial evaluation) shall automatically become the part of the Order/Contract after its finalisation.

8. DELIVERY TERMS:

For Lot-1: Within Four (04) months from date of CAT-1 approval of Primary drawing/documents, subjected to drawing/document submission/re-submission schedule as stipulated, in case of any delay in submission/re-submission of Primary drawing/documents, then same shall be reduced from the given delivery period. Delay in BHEL's comments/approval beyond 18 days shall also be considered for delay analysis.

BHEL Drawing No	Drawing Title	Primary/ Secondary	Drg. Schedule for Vendors
PE-V0-XXX-507-E113	CROSS SECTION DRGS. - LT XLPE POWER CABLES	Primary	R-0 within 14 days from PO & subsequent revisions within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.
PE-V0-XXX-507-E913	QUALITY PLAN - LT XLPE POWER CABLES	Primary	
PE-V0-XXX-507-E111	TECHNICAL DATA SHEET - LT XLPE POWER CABLES	Primary	
PE-V0-XXX-507-E114	TYPE TEST CERTIFICATES - LT XLPE POWER CABLES	Secondary	Within 1 week after conduction of type test
PE-V0-XXX-507-Exxx	Bill of Material (BoM)	Secondary	First submission of BoM within 1 week of CAT-I approval of primary documents and subsequent revisions within 1 week of BHEL comments.

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For Subsequent Lots: Within 3 months from Lot clearance by BHEL.

Notes:

- A. The end period specified is for completion of the deliveries. Deliveries to start progressively so as to meet the completion schedule.
- B. The delivery conditions specified are for contractual LD purposes, however BHEL may ask for early deliveries without any compensation thereof.

9. Bidder has to note following points w.r.t. filling of prices in price schedule form available in e-procurement portal.
- a. **Unit Price:** There is % allocation weightage against BOQ quantity of each item which shall be used for arriving at respective unit price (cable-wise). Bidder to quote their total ex works price for complete BOQ (i.e. Total Ordered Quantity) at the specific cells that has been kept open in the price schedule available in the e-procurement portal (Grand Total ex works price). Price mentioned anywhere else in BOQ or price uploaded anywhere else in the e-procurement portal shall not be taken in cognizance.
 - b. **Freight & GST:** Bidder to mention freight%, applicable GST rate on (total Ex. works + freight) & type of GST in the specified cells of price schedule on price form in e-procurement portal.

Note:

1. There are formulae applied in price schedule form available in e-procurement portal. As soon as bidder fills the cells for Total Ex works, freight percentage and GST percentage, rest values for e.g. unit ex works – item wise, total ex works – item wise, FOR site price – item wise will fill up automatically.
2. For better clarity of the bidder where value is to be filled the cells are kept open in price form in e-procurement portal and for other cells it will be locked which shall be derived by BHEL as per allocation fixed against each item.

10. The Evaluation Currency for this tender shall be INR.
11. Evaluation shall be done on Total Cost to BHEL basis (excluding GST) on lumpsum basis.
12. **Overall (%) quantity variation:** Overall (%) variation in contract values (due to changes in the scope) shall be limited to $\pm 30\%$.
13. Bidder has to note, 'BHEL shall be resorting to Reverse Auction (RA) (Guidelines as available on www.bhel.com) for this tender. RA shall be conducted among the techno-commercially qualified bidders. Price bids of all techno commercially qualified bidders shall be opened and same shall be considered for RA. In case any bidder(s) do(es) not participate in online Reverse Auction,

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their sealed envelope price bid along with applicable loading, if any, shall be considered for ranking'

Vendors to note that above RA clause will supersede clause no 13 of "Instruction to Bidders" of GCC Rev 07.

The Bidder has to quote the Single Price (i.e. Total Cost to BHEL excluding GST) in Reverse Auction (inclusive of loading (if any), Packing & Forwarding charges, all the routine & type tests as per tender scope, Freight as applicable). De-loading (if any) shall be done in line with NIT terms.

Link for RA guidelines to be followed as: <https://www.bhel.com/guidelines-reverse-auction-2021>.

14. CIF is not applicable for this package.
15. Bidder has to note that in the event of ordering when contract value exceeds 25 lakhs, Bidder has to mandatorily furnish Gem seller ID prior to award of contract.
16. The Bidder declares that they will not enter into any illegal or undisclosed agreement or understanding, whether formal or informal with other Bidder(s). This applies in particular to prices, specifications, certifications, subsidiary contracts, submission or non-submission of bids or any other actions to restrict competitiveness or to introduce cartelization in the bidding process.
In case, the bidder is found having indulged in above activities, suitable action shall be taken by BHEL as per extant policies/guidelines.
17. Bidders to ensure that Third party/Customer issued certificates being submitted as proof of PQR qualification should have verifiable details of documents/certificate issuing authority such as name & designation of issuing authority and its organization contact number and e-mail id etc. In case the same found not available, purchaser has right to reject such document from evaluation.
18. Bidder agrees to submit performance security required for execution of the contract within the time period mentioned. In case of delay in submission of performance security, enhanced performance security which would include interest (SBI rate + 6%) for the delayed period, shall be submitted by the bidder. Further, if performance security is not submitted till such time the first bill becomes due, the amount of performance security due shall be recovered as per terms defined in NIT /contract, from the bills along with due interest.
19. In 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 bidders. In case more than one bidder happens to occupy L-1 status even after soliciting discounts, the L1 bidder shall be decided by a toss / draw of lots, in the presence of respective bidder(s) or their representative(s). Ranking will be done accordingly. BHEL's decision in such situation shall be final and binding.

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20. Bidders to,

- ensure compliance to Ministry of Power (MoP) Order No. 25-11/6/2018-PG dt. 02/07/2020 & Order No. 11/05/2018-Coord. dt. 23/07/2020, if applicable.
- ensure compliance of Ministry of Finance (MoF) Order (Public Procurement No. 1 & 2) F. No. 6/18/2019/PPD dt. 23/07/2020.
- to submit "Model Certificate for Tenders" as per Annexure-III of Ministry of Finance (MoF) Order (Public Procurement No. 1 & 2) F. No. 6/18/2019/PPD dt. 23/07/2020.

21. Due to COVID-19 pandemic condition prevailing in the country, BHEL/PEM may go for Remote Inspection of Offered items, if required. Vendors are requested to be equipped with the facilities/gadgets as indicated in the guidelines attached to take up the inspection REMOTELY.

22. All other correspondence thereof shall be addressed to the undersigned by name & designation and sent at the following address:

Mr. Rohit Juneja, Dy. MGR/ PG-II M/s Bharat Heavy Electricals Ltd., Project Engineering Management, PPEI Building, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301 E-MAIL: dheerajsingh@bhel.in Ph. No. 0120-4368848	Ms. IP SINGH, DGM/ PG-II M/s Bharat Heavy Electricals Ltd., Project Engineering Management, PPEI Building, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301 E-MAIL: nainasingh@bhel.in Ph. No. 0120-4368749
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23. PVC shall be applicable for the subject package. Base date for initial prices for this tender shall be first June 2021.

All bidders to quote as per the Price Variation Formulae for Cables uploaded on BHEL PEM website on the link:

<https://pem.bhel.com/Documents/GCC/Price%20Variation%20Formulae%20for%20Cables.pdf>

Also refer enclosed Annexure A. The price variation shall be limited to + 20% of total ex-works actually supplied (cable size wise) and negative price variation shall be unlimited.

24. The bidders who are not registered with BHEL-PEM may apply for registration in BHEL-PEM through Registration Portal available at www.bhelpem.com-->vendor section-->online supplier registration. All credentials and/or documents duly signed & stamped related to registration has to be uploaded on the website & submit the application for registration. One set of hard copy filled-up SRF downloaded from Online Registration Portal duly signed & stamped has to be submitted.

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25. If any bidder uploads price bid in the unpriced section (techno-commercial attachment page) of the tender in e-procurement, in that case bidder(s) shall only be responsible for such mistake and any consequences thereof. Hence all bidders are requested to be more careful at the time of uploading the Unpriced and Price Bid for Part-I and Part-II respectively to avoid mismatch.
26. Bidders have to note that Deviations from NIT are generally not acceptable. Deviations, if any, are to be listed out clearly, as per Annexure-II (Deviation Sheet – Cost of Withdrawal), of GCC Rev 07, in techno-commercial offer. Any deviation mentioned or shown separately or found hidden in offer, will not be taken cognizance of.

In case of deviations from NIT, the bidder shall give the cost of withdrawal of such deviation in Price Bid, as per Annexure-II, Deviation Sheet (Cost of Withdrawal) of GCC Rev-07. For multiple deviations, all deviations are to be mentioned in “Deviation Sheet” and “cost of withdrawal” must be mentioned separately against each deviation.

27. All terms & conditions shall be as per NIT, SCC of Project & GCC Rev. 07. In the event of any contradiction in the terms and conditions mentioned, the order of preference shall be as mentioned in cl. no. 36 of GCTC of GCC Rev. 07.

Note - In case you are not making an offer against this enquiry, you are requested to send a regret letter so as to reach us on or before the due date.

Thanking you,

Yours faithfully,
For and on behalf of BHEL

ROHIT JUNEJA
(DY. MANAGER / PROJECT GROUP-II)

Enclosures:

- I. Land Border Sharing format
- II. BOQ (as per online bidding form in e-procurement)
- III. Technical Specification
- IV. Technical PQR
- V. Financial PQR – shall be provided later
- VI. Integrity Pact
- VII. SCC of Project
- VIII. Annexure-A (PVC Formulae & factors)
- IX. Guidelines for Remote Inspection of PEM BOIs
- X. Local Content Certificate Format
- XI. Unpriced Format