

Ref. Enquiry No.: PE/PG/RTC/E-6743/2021

Dated: 04/09/2021

**TENDER ENQUIRY THROUGH E-PROCUREMENT
(CONDITIONAL ENQUIRY)**

SUBJECT: TENDER ENQUIRY FOR FRAMEWORK AGREEMENT (RATE CONTRACT) OF SELF CLEANING STRAINER AS PER TECHNICAL SPECIFICATION NO. PE-TS-RC5-165-N004 REV 00.

OUR REF: TENDER ENQUIRY NO: PE/PG/RTC/E-6743/2021

DUE DATE – 14.09.2021, BY 11.00AM

Dear Sir/ Ma'am,

We are pleased to invite your offer for subject package in two parts strictly as per Clause-2.0 of "Instructions to Bidders" of **GCC Rev 07**. Please upload your best quotation/ offer on <https://eprocurebhel.co.in/nicgep/app> for the requirement strictly as per schedule of price format before above mentioned due date & time. The details of the tender enquiry are as mentioned below:

Sl. No	Description for which (Framework Agreement) Rate Contract is desired	Tentative Quantity	Delivery required
1	SELF CLEANING STRAINER - Refer Technical specification no PE-TS-RC5-165-N004 Rev. No.: 00 for detailed description.	As per BOQ cum price schedule in Annexure-I)	As per Point no 14

Your best quotation/offer for the above requirement, in line with our terms and conditions, should be submitted online via e-procurement system. It shall be the responsibility of the bidder to ensure that the Tender is submitted on or before the due date by **11.00AM**. Part-I bids shall be opened at 4.00PM on due date through e-procurement Portal.

Detailed Tender documents can be downloaded from the following websites: -

a) <https://eprocurebhel.co.in/nicgep/app> b) www.bhel.com c) <https://pem.bhel.com/>

Tender submission through e-procurement portal- <https://eprocurebhel.co.in/nicgep/app>

Note: -

1. Please note that Part Supplies offered for tender BOQ shall disqualify the bidder's offer.
2. Documents and Credential as per Technical, Techno Commercial Bids and Price Bids should be uploaded on the e-procurement portal.
3. Bidders to ensure that Third party/customer issued certificates being submitted as proof of PQR qualification should have verifiable details of document/certificate issuing authority such as name & designation of Issuing Authority and its organisation contact number and email Id etc. In case the same found not available, Purchaser has right to reject such document from evaluation.
4. "This item/Package/System falls under the list of items defined in Para 3 of Ministry of Finance guideline datedt.20-09-2016 (procurement of items related to public safety, health, critical security operations and equipment's, etc.) & hence criteria of prior experience/turnover shall be same for all the bidders including start up/MSME".

Please refer GCC Rev-07 which is available on <https://pem.bhel.com/> You are requested to kindly download the same.

MR AKASH VERMA
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POWER PROJECT ENGINEERING INSTITUTE,
PLOT NO. 25, SECTOR - 16A, NOIDA (UP)
(OFF) 0120-4368960,9718575780

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TERMS AND CONDITIONS

1. Bidders to note that their bid shall be conditional, subject to qualify PQR (technical) & registration in PEM before price bid opening.
2. **Framework Agreement (Rate contract)**, on **FIRM PRICE** basis, will be done for 2 years from placement of **Framework Agreement (Rate contract)** PO with a provision for further extension after review on mutual consent.
3. **Framework Agreement (Rate contract)** is proposed to be done with 2 vendors in ratio of 70:30 value wise at L1 **FOR site price (Ex-works + freight)** for this package. All project POs which will be released on this RC basis will be splitted into two portion in 70:30 ratios.
4. **Rate Contract will be finalized on total lump sum basis instead of item wise evaluation: -**

"L1 Rates (Ex works + Freight) shall be counter offered to all bidders who participated in Price Bid Opening/RA for 30% value and in case acceptance of counter offer received from more than one vendor then acceptance shall be considered as per FINAL Price Bid Opening / Reverse Auction Ranking (as applicable). If none accepts L1 rates, Framework Agreement (Rate Contract) shall be done with L1 vendor for 100% value".

5. **FIRM PRICE shall be applicable for the subject package.**
6. Following clause to be mentioned in the NIT in line with MII circular Public Procurement (preference to make in India), order 2017 Rev dated-04.06.2020 & 16.09.2020:

"For this procurement, the local content to categorize a supplier as 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 India), Order 2017 dated 04.06.2020 & 16.09.2020 issued by DPIT. In case of subsequent order issued by nodal ministry changing the definition of local content for item in NIT, the same shall be applicable even if issued after issue of this NIT but before opening of part-II bids against this NIT."

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 order are eligible to bid.**

7. Following point to be noted regarding verification of local content-

The supplier at the time of tender, bidding or solicitation shall be required to provide a self-certified certificate that the item offered meets the minimum local content, in accordance with para 9 (b) of PP-MII order revision dated-04.06.2020 & 16.09.2020.

8. Bidders to note the following: -
 - i. Tender Evaluation - Evaluation will be done on overall L1 (Total Cost to BHEL excluding GST) basis with necessary loading as applicable i.e. **Evaluation will be on Ex Works + Freight basis** for this tender.
 - In case of PBO, the loading (technical/commercial), if any, shall be added by BHEL for evaluation.
 - In case of RA, the loading (technical/commercial), if any, shall be added by bidder while submitting the bid in reverse auction portal.
 - Ordering shall be done after de-loading the commercial/ technical loading from bidder's final price.

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- ii. 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 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 the presence of the respective L-1 bidder(s) or their representative(s). Ranking will be done accordingly. BHEL's decision in such situations shall be final and binding.
- iii. **Bidder to give single (Non Zero) % of freight charges in the freight column. Bidders have to give same % of freight for each line item.**
- iv. Bidders to mention applicable GST rate on (total Ex. works + freight) in the specified cells of price schedule on price form at e-procurement portal. However, may please note that GST shall not be considered in evaluation.
- v. Though evaluation is on Ex Works + Freight, but there is % allocation weightage against BOQ quantity of each item which shall be used for arriving at price break up. Bidders need to give only their total ex works price for given BOQ at the specific cells that has been kept opened 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.
- vi. Rest of the prices shall be derived by BHEL in line with allocation fixed for each item. There is formula 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 filled automatically.
- vii. For better clarity to the bidders where value is to be filled is kept open in price form at e-procurement portal and for other columns it will be locked which shall be derived by BHEL as per allocation fixed against each item.
- viii. HSN Code has been mentioned in Price Schedule.
- ix. Submission of complete offer as per NIT terms is the responsibility of bidder. BHEL reserves the right to reject the incomplete offer.
- x. Pre-Qualifying Requirements (PQR): All the bidders (registered/ non-registered) will be asked to submit documents fulfilling PQR (technical) requirements along with the bid & their further evaluation shall be done accordingly.
- xi. Considering all the above open tender enquiry is being floated in two parts (Part-I: Techno-Commercial Bid, Part-II: Price Bid) thro' e-procurement for entering into framework agreement (rate contract) for the subject package, all the bids shall be treated conditional as registered vendors have to qualify PQR (technical) & non-registered vendors have to qualify PQR (technical) and get registered with PEM for the package.
- xii. **PRE-QUALIFICATION REQUIREMENT: -**
Bidders is requested to fill up the details in "TECHNICAL PRE-QUALIFYING REQUIREMENT" as per the conditions mentioned in the PQR (technical) and also to submit the credentials.
Bids of only those bidders shall be evaluated who meet the Technical pre-qualifying requirements (if applicable). **Bidders to ensure that Third party/customer issued certificates being submitted as proof of PQR qualification should have verifiable details of document/certificate issuing authority such as name & designation of Issuing Authority and its organisation contact number and email Id etc. In case the same found not available, Purchaser has right to reject such document from evaluation.**
"This item/Package/System falls under the list of items defined in Para 3 of Ministry of Finance guideline datedt.20-09-2016 (procurement of items related to public safety, health, critical security operations and equipment's, etc.) & hence criteria of prior experience/turnover shall be same for all the bidders including start up/MSME".
- xiii. Bidders to note that their bid shall be conditional subject to qualify PQR (technical) by registered vendors & non-registered vendors have to qualify PQR (technical) & get registered with PEM for the package **before price bid opening/RA.**

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For registration in PEM "Bidders needs to apply & get registered for subject package with PEM before P-2 (price bid opening) & hence you need to apply online for registration on PEM web portal & have to enclose acknowledgement with this effect with the bid documents else your bid may not be considered for evaluation"

- xiv. This enquiry is subject to Conditions/ limits if any imposed in PMD / Vendor registration.
- xv. Refer Annexure I for tentative quantity of subject package, required for prospective projects. No minimum quantity is guaranteed by BHEL.
- xvi. **Quantity variation' on higher side shall be +30%.** Please note that quantities indicated in the tender are tentative quantities and 'Quantity variation' on higher side shall be 30%, however no minimum quantity is guaranteed by BHEL.
- xvii. CIF allocation is not applicable for this tender. Bidder to quote accordingly.
- xviii. Tenderers must enclose the Quality Plan in the prescribed format, for approval. Equipment will be dispatched only after Purchaser's / Owner's inspection of the hold points specified in the approved Quality Plan and issue of Material Dispatch Clearance Certificate (MDCC).
- xix. In case of joint bidding, bidders to furnish scope matrix which should be clearly defined between them along with the offer for the complete scope.
- xx. **Integrity pact is applicable for this tender**
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. Following Independent External Monitors (IEMs) have been appointed by BHEL with the approval of CVC to oversee implementation of IP in BHEL.

SI No.	IEM	Phone & Email
1.	Shri Arun Chandra Verma, IPS (Retd.)	acverma1@gmail.com
2.	Shri Virendra Bahadur Singh, IPS (Retd.)	vbsinghips@gmail.com

The IP as enclosed with the tender is to be submitted (duly signed by authorized signatory) along with techno-commercial bid (Part-I, in case of two/three part 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. (Refer Annexure-VI for Integrity pact).

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 in the NIT. 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 whose contact details are provided above in NIT".

OTHER TERMS AND CONDITIONS

- Procurement of the subject package shall be done through e-procurement
- Offers should be uploaded in two parts online at <https://eprocurebhel.co.in/nicgep/app> in as follows:
 - Part-I Bid: - Documents and Credential as per Technical PQR and Techno-Commercial offer (along with un-priced copy of un-priced bid and un-priced schedule of Technical-Commercial Deviation, Annexure I & II)
 - Part II Bid: - Price Bid and Priced schedule of Technical-Commercial Deviation
- Terms and conditions: -
 - Part I bid will be opened on date & time mentioned in the NIT or subsequent corrigenda/amendments, if any.
 - Techno-commercial offer of only those bidders shall be evaluated who will meet the Technical pre-qualifying requirement of the tender.**

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All the above Tender Documents shall automatically become a part of the Order/Contract after its finalisation.

4. Vendors shall quote in accordance with the requirements mentioned in the tender documents. In case of deviations (Technical/ Commercial), the same shall be highlighted separately giving Clause references along with the Cost of withdrawal of Deviations in e-procurement portal, along with reasons for taking such deviations.
Bidder to note all the points mentioned in "Notes" of cost of withdrawal sheet in e-procurement portal.
5. ***Please note the following:***
- a. Compliance to price form available at e-procurement portal.***
 - b. SCC enclosed for compliance.***
 - c. GCC enclosed for compliance. GCC Rev-07 is available on <https://pem.bhel.com/>. You are requested to kindly download the same. Bidders are requested for furnishing compliance of these documents.***
 - d. Compliance to NIT Terms and Conditions.***
6. Tenders shall be submitted strictly in accordance with the requirements of the above tender documents.
7. Standard pre-printed terms & conditions of the tenderers shall not be considered valid.
8. Validity of offer shall be as per cl.no.7 (instruction to bidders) of GCC **Rev 07**.
9. Unsolicited fresh/revised Price Bids shall not be entertained.
10. Purchaser shall be under no obligation to accept the lowest or any other tender and shall be entitled to accept or reject any/all tender(s) in part or full without assigning any reason whatsoever.
11. Late tenders will be rejected.
12. Definition of Terms is also enclosed. These definitions will apply to all the tender documents including this Enquiry Letter.
13. Tenders and all correspondence thereof, shall be addressed to the undersigned by name & designation and sent at the following address:

Mr. AJAY JAIN, DGM, CMM
M/s Bharat Heavy Electricals Ltd.,
Project Engineering Management,
Power Project Engineering Institute,
HRD & ESI Complex,
Plot No 25, Sector-16 A, Noida-201301
Kind Attn: AJAY JAIN/ CMM
E-MAIL: ajayjain@bhel.in
Ph. No. 0120- 4368986 , 9871002977

Mr. Akash Verma, Dy. MGR, CMM
M/s Bharat Heavy Electricals Ltd.,
Project Engineering Management,
Power Project Engineering Institute,
HRD & ESI Complex,
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14. **Delivery**

Sl. No	Description	Tentative Quantity	Delivery required
1	<u>SELF CLEANING STRAINERS</u> - Refer Technical Specification no. PE-TS- RC4-165-N004 Rev 00 for detailed description.	As per BOQ cum price schedule in Annexure-I, IA & A cumulative for the Prospective Projects as per Annexure-III	Delivery Terms for Supply Portion: "Within Five (05) 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" Delivery Terms for Scope of Services: Vendor to depute its service engineer for respective site activity within 15 days from BHEL's intimation (for deputing service engineer) for such site activity. For delay in deputing service engineer, LD on site activities portion shall be applicable @ ½% of the total site activities portion contract value (excluding element of taxes) per week or part thereof, with applicable GST. However, total LD (supply + site activities) shall be limited to 10% of cumulative total contract value excluding taxes and freight (supply + site activities). Note: 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. c. Non-applicable drawings shall be decided during bid evaluation. d. Wherever schedule of drawings/documents submission / re-submission is stipulated in the Technical Specifications, same shall be superseded by delivery specified in NIT.

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BHEL Drawing No	Drawing Title	Primary/Secondary	Drg Sch for Vendors
PE-V4-XXX-165-N001	P&ID - OF SCS SYSTEM	Primary	R-0 within 21 days (for all except Installation plan, for Installation Plan 30 Days) from PO & subsequent revisions incorporating all the BHEL comments within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.
PE-V4-XXX-165-N002	TECHNICAL DATA SHEET-SCS	Primary	
PE-V4-XXX-165-N003	INSTALLATION PLAN-SCS	Primary	
PE-V4-XXX-165-N004	GENERAL ARRANGEMENT OF SCS	Primary	
PE-V4-XXX-165-N006	C&I Part-I, PANEL-TDS, I/O LIST, CABLE SCH AND CONTROL PHILOSOPHY FOR SCS	Primary	
PE-V4-XXX-165-N008	QP-SCS	Primary	
PE-V4-XXX-165-N005	GA OF FLUSHING PUMP & FOUNDATION DETAILS OF FLUSHING PUMP AND SADDLE SUPPORT (If Applicable)	Primary	R-0 within 15 days from approval of TDS & subsequent revisions incorporating all the BHEL comments within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.
PE-V4-XXX-165-N007	GA & WIRING DIAGRAM OF PANEL-SCS	Primary	R-0 within 15 days from approval of C&I Part-I document & subsequent revisions incorporating all the BHEL comments within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.
PE-V4-XXX-165-N009	O&M MANUAL-SCS	Secondary	within 30 days of issuance of MDCC.

15. All other terms and conditions shall be as per GCC Rev 07 and Special Conditions of (Framework Agreement) Rate Contract. In the event of any contradiction in the terms and conditions mentioned, the order of preference shall be as mentioned in clause no 36 of GCTC of GCC (Rev.07).

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16. All the above Tender Documents shall automatically become a part of the Order/Contract after its finalization.
17. All corrigenda, addenda, amendments, time extensions, clarifications etc. to the tender will be hosted on BHEL websites only (<https://pem.bhel.com/>, www.bhel.com & <https://eprocurebhel.co.in/nicgep/app> under subject tender reference. Bidders are requested to visit our websites from time to time to keep themselves updated.
18. Bidders to submit their offers strictly in line with the form available at e-procurement portal.
19. Inspection shall be done by BHEL/ END CUSTOMER/Third party Agency (finalized by BHEL).
20. Foreign & indigenous bidders participating through open/limited tender will necessarily have to but class III DSCs issued by the certifying authorities in India. Basic procedure/ checklist is uploaded on www.bhel.com.
21. Non- registered bidder to submit the credentials required for Registration in BHEL PEM: -
"Online Registration Portal is operational in BHEL. Non-registered Vendors, who wish to apply for registration with BHEL-PEM, have to apply through Online Registration Portal available at www.bhelpem.com - vendor section - Online Supplier Registration. All credentials and/or documents duly signed and stamped related to registration has to be uploaded on the website and submit the application for registration. One set of hard copy of the filled-up SRF downloaded from Online Registration Portal duly signed and stamped has to be submitted."
22. Guidelines for Reverse Auction 2021 Amendment 1 dated-10.03.2021 shall be applicable for this tender and same is available at
 - a) <https://www.bhel.com/supplier-registration>
 - b) https://pem.bhel.com/Current_Tender.aspx

Bidders to note following point before quoting-

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

- (i) In case of enquiry through e-Procurement, the sealed electronic price bid (e-bid) is to be treated as sealed envelope price bid.
- (ii) BHEL will inform bidders the details of service provider who will provide business rules, all necessary training and assistance before commencement of online bidding.
- (iii) Bidders will be advised to read the 'Business Rules' indicating details of RA event carefully, before reverse auction event.

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

23. If any bidder has mentioned the term Not Applicable / Not required / Not Quoted in bidding form. The bidder needs to substantiate the same. If the same item will be required in future for the system same will be supplied free of cost.

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24. Performance Security (Bank Guarantee) BG clause no. 11 of GCTC of GCC Rev 07 will be applicable for this tender.
Bidders to compile the following clause for timely submission of BG:
"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 I contract, from the bills along with due interest "
25. Successful L1 bidder will be asked to submit mandatorily the GeM Seller ID before placement of Order/Award of contract.
26. *The evaluation currency for this tender shall be INR.*
27. Restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017
I. 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.
II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.
III. "Bidder from a country which shares a land border with India" for the purpose of this Order means
a. An entity incorporated, established or registered in such a country; or
b. A subsidiary of an entity Incorporated. established or registered in such a country; or
c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
d. An entity whose beneficial owner is situated in such a country: or
e. An Indian (or other) agent of such an entity; or
f. A natural person who is a Citizen of such a country; or
g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above.
IV. The beneficial owner for the purpose of (iii) above will be as under:
1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership Interest or who exercises control through other means,
Explanation-
a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
b. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholder's agreements or voting agreements;
2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together. or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;

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3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of Individuals;

4. Where no natural person is Identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;

5. In case of a trust, the identification of beneficial owner(s) shall Include identification of the author of the trust. the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

V. An Agent is a person employed to do any act for another, or to represent another in dealings with third person

Note- The above clause shall not be applicable for the bidders from those countries (even if sharing a land order with India) to which the Government of India (Gol) has extended lines of credit or in which the Gol is engaged in development work.

Thanking you,
Yours faithfully,
For and on behalf of BHEL

(Signature of official with Name & Designation)

Enclosure:

1. Enquiry Terms & Conditions.
2. Price Schedule - Annexure-I to NIT (to be filled in e-procurement portal only)
3. Cost of withdrawal sheet -Annexure-II to NIT (to be filled in e-procurement portal only)
4. Technical Specifications.
5. Technical PQR
6. SCC – Annexure-III to NIT.
7. Prospective Project List – Annexure-IV to NIT
8. Bank Guarantee Format – Annexure-V to NIT.
9. Integrity Pact (IP) – Annexure-VI to NIT
10. Format for make in india certificate and land border certificate –ANNEXURE-VII

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