

TENDER ENQUIRY LETTER (NIT)

Ref. Enquiry No.: PE/PG/PA1/E-6865/2021 dated 25.01.2022

Bid Submission Due Date & Time:
04.02.2022 (by 14:00 hrs IST)

Part-1 Opening Date & Time:
04.02.2022 (by 15:00 hrs IST)

Dear Sir,

Subject: Tender Enquiry for “MS ROD FOR BELOW GROUND EARTHING” as per Technical Specification No. PE-TS-434-509-E004 Rev-01 for 3 x 800 MW PVUNL PATRATU TPP PHASE-I.

BHEL is pleased to invite offer for **“MS ROD FOR BELOW GROUND EARTHING”** package of 3 x 800 MW PVUNL PATRATU TPP PHASE-I 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-434-509-E004 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
MS ROD FOR BELOW GROUND EARTHING	3 x 800 MW PVUNL PATRATU TPP PHASE-I	PE-TS-434-509-E004, R01

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 in their Techno-Commercial offer and has to note that bids of only those bidders shall be evaluated who meet the Technical 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.

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.**

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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 (Format for Local Content Certificate attached).

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 of a bidder shall be subjected to the following:
 - i) Techno-Commercial evaluation by BHEL.
 - ii) Qualification of Technical PQR
 - iii) Offered item should mandatorily conform to PP-MII order provisions.
 5. 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.
 6. 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.
 7. **DELIVERY TERMS:**

For Lot-1 (Unit-2): 50% of quantity as per BOQ Within 02 months from PO.
For Lot-2 (Unit-3): Balance 50% of quantity as per BOQ within 4 months from PO.

Necessary Test Certificates shall be submitted to BHEL as per Technical specification. BHEL will issue MDCC after review of Test Certificates. Material shall be dispatched by vendor after issuance of MDCC by BHEL only.

Further Following to be noted:

- (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) Wherever schedule of drawings/documents submission / re-submission is stipulated in the Technical Specifications, same shall be superseded by delivery specified in NIT.
- (d) Purchaser will issue MDCC to the Seller/ Contractor within 7 days based on inspection report/ test certificates/Certificate of Conformance as applicable. In case of delay in issuance of MDCC beyond 7 days stipulated time (i.e. from the date of successful inspection report), by BHEL arising due to reasons not attributable to vendor, BHEL will extend the delivery period for such delay in

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issuing MDCC. If BHEL is not able to issue MDCC up to 15 days then in addition to delay beyond stipulated period, 7 days' additional time shall be given to vendor to facilitate the vendor for arranging logistics arrangements.

8. **Freight & GST:** Bidder to mention freight% in terms of Total Ex-Works, 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.
9. The Evaluation Currency for this tender shall be INR.
10. Evaluation shall be done on Total Cost to BHEL basis (excluding GST) on lump sum basis.
11. **Overall (%) quantity variation:** Overall (%) variation in contract values (due to changes in the scope) is NIL.
12. Prices of this tender shall be finalized though price bid opening.
13. Bank Guarantee is not applicable for this tender
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. 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.
19. 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.

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- 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 (Format for Land Border Certificate attached).

Note: Subsequent orders/circulars to be checked and to be complied.

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

Mr. Deepak Kumar, Dy. Engineer/PG-III M/s Bharat Heavy Electricals Ltd., Project Engineering Management, PPEI Building, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301 E-MAIL: deepakkumar4@bhel.in Ph. No. +91-120-4368599 Mob. - +91-7503543472	Mr. Kingshuk Kumar Das, Manager/ PG-III M/s Bharat Heavy Electricals Ltd., Project Engineering Management, PPEI Building, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301 E-MAIL: kingshuk@bhel.in Ph. No. +91-120-4368570 Mob. - +91-9560887731
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21. Prices shall be Firm till completion of contract.
22. HSE Guidelines as per is firm part of this NIT.
23. MSME bidders will have to furnish the Udyam Certificate details.
24. Terms of Delivery are: F.O.R Dispatch Station basis.
25. 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.
26. 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.
27. 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.
28. Please note that for technical bid, detailed offers are to be submitted including the following along with the Price schedule as per BHEL format enclosed with NIT: -

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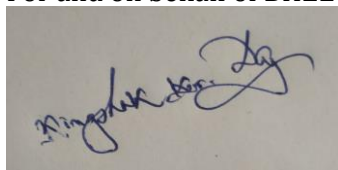
- Along with your offer, please submit a copy of this letter duly signed & stamped on each page as token of acceptance of terms and instruction conveyed.
- Un-Priced price format of BOQ/BOM duly filled in 'Quoted' or 'Q' in each column/row and freight% in terms of Total Ex-Works, applicable GST rate on (Total Ex. works + freight) & type of GST in the specified cells.
- Technical PQR documents.
- Acceptance of GCC Rev. 07.
- Please furnish 'Gem' Seller ID with bid.
- Local Content Certification and Land Border Certificate format in the enclosed format
- Technical & Commercial Deviations, if any along with Cost of withdrawal sheet.
- Acceptance of Technical Specification.
- Acceptance of Special Conditions of Contract (SCC) of project.
- Integrity Pact.

29. 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



KINGSHUK KUMAR DAS
(MANAGER / PROJECT GROUP-III)

Enclosures:

1. Enquiry Terms and Conditions. (NIT Letter no. PE/PG/PA1/E-6865/2021 dated 25.01.2022)
2. Technical Specification for project.
3. Technical PQR project.
4. Price Schedule (to be filled in e-procurement portal only)
5. Cost of withdrawal sheet -Annexure-II to NIT (to be filled in e-procurement portal only)
6. Format of self-Certification regarding Local content certification.
7. Land Border Certificate format.
8. Unpriced schedule format and Annexure-II cost of withdrawal.
9. SCC of project.
10. Instruction to packing list.