



Bharat Heavy Electricals Limited
POWER SECTOR-WESTERN REGION
'Shree-mohini' Complex, 6th floor
345 Kingsway Nagpur 440001
Fax: 0712-3048698-699 Phone: 3048600-605

Ref: BHE/PW/PUR/BORLI-CVL/477/Amd-02
To,

Dated: 07.02.2007

All Bidders

Dear Sir,

SUB : Amendment- 02- REVERSE AUCTION & REVISED PRICE BID- Reg

JOB : CIVIL, STRUCTURAL AND ARCHITECTURAL WORKS FOR STG, BOILER & AUXILIARIES, ESP,BUNKER, PLANT BUILDINGS ETC COMPLETE AT 3x33 MW, STG PROJECT,BHARAT OMAN REFINARY LIMITED (BORL),BINA (M P)
REF : T. S. No. – BHE/PW/PUR/BORLI-CVL/477.

Bidders may please refer NIT of above tender specification wherein we have mentioned that "BHEL reserves the right to adopt the process of " REVERSE AUCTION" among the venders who qualify in the technical bid."

BHEL has decided to adopt the process of Reverse Auction for above referred tender. The process of Reverse Auction shall be as per Annexure- RA (11pages) attached with this amendment.

Bidders who do not agree to the process of Reverse Auction will be disqualified.

The Price Bid –Part-II-Vol-III has been revised as Price Bid-Part-II-Vol-III(REV-01).This revised price bid takes care of the Amendment -01 issued vide letter dt 31.01.07. Bidders have to quote their rates in this revised price bid. Revised price bid and amendment-02 are hosted in the web.

Bidders may please download these documents from web and enclose copy of same (un-priced) with technical bid duly signed by your authorized signatory and stamped with official seal as a token of your unqualified acceptance of this amendment.

Due date of offer submission is rescheduled to 15/02/2007- 18.00Hrs. Bidders are now requested to submit their offer on or before 15/02/2007.

All other terms & condition of the tender specification shall remain unchanged unless and otherwise expressly amended by BHEL.

Thanking you.

Yours faithfully

S. M. BORKAR
SR. MANAGER (PURCHASE)

TS NO :BHE/PW/PUR/BORLI-CVL/477/Amd-02 1

SIGNATURE OF BIDDER WITH SEAL

(ANNEXURE -RA)

The following document shall be a part of Technical Bid – Part - I of Tender Specification No. BHE/PW/PUR/BORLI-CVL/477

Bidders may refer NIT for this tender wherein it is mentioned that “BHEL reserves the right to adopt the process of Reverse Auction among the vendor who gets qualified in technical bid.

The process and documentation required for the Reverse Auction shall be as mentioned below:

First, technical bids of the offers submitted by the bidders will be opened by BHEL and documents will be scrutinized, If the documents are not found satisfactory, then the Bidder may be asked to submit the relevant documents depending on time available with BHEL. In case of unsatisfactory details, the Bidder will be disqualified and will not be able to participate in price bid process.

- 1) Bidders have to submit a certificate of their acceptance to the terms/ conditions/ modality given in this amendment for participating in the reverse auction.
- 2) Bidders who gets qualified in technical bid will be intimated by BHEL. Then, the Bidder is required to submit the **Agreement Form (Process Compliance Form – RA-3)** duly signed to C1 India Pvt. Ltd. by (AUCTION DATE). After receipt of the Agreement Form, Log in ID & Password shall be allotted to the suppliers (bidders).
- 3) After completion of reverse auction process: Successful Bidder shall be required to submit the final prices, quoted during the English Reverse (no ties) in given Format after the completion of Auction to C1 India and BHEL, duly signed and stamped as token of acceptance without any new condition other than those already agreed to before start of auction.
- 4) Bidders are required to sign all the pages of this Amendment as a token of unconditional acceptance of the process of Reverse Auction and submit along with the Technical Bid.

If documents as above are not furnished alongwith the Technical Bid , Bidder will be considered non-responsive and will be disqualified from the tendering process.

REVERSE AUCTION
Business Rule & terms & conditions of reverse auction

BUYER NAME	BHARAT HEAVY ELECTRICALS LIMITED POWER SECTOR WESTERN REGION, NAGPUR
AUCTION TO BE CONDUCTD BY	C1 INDIA PVT. LTD. D-5, DEFENCE COLONY NEW DELHI- 110024 https://auctions.gate2biz.net
JOB DESCRIPTION	CIVIL, STRUCTURAL AND ARCHITECTURAL WORKS FOR STG, BOILER & AUXILIARIES, ESP,BUNKER, PLANT BUILDINGS ETC COMPLETE AT 3x33 MW, STG PROJECT,BHARAT OMAN REFINARY LIMITED (BORL),BINA (M P)
DATES FOR ON-LINE TRAINING TO VENDERS	Will be informed later by BHEL
DATE OF AUCTION	Will be informed later by BHEL
DOCUMENTS ATTACHED	<ol style="list-style-type: none"> 1) Business rule for reverse auction (RA-1) 2) Terms & conditions of reverse auction (RA-2) 3) Process Compliance Statement (RA-3) 4) Final price quoted during reverse auction (RA-4) 5) Opening bid amount same as quoted in sealed price bid.(RA-5) 6) Contact information- (RA-6)

RA-1

Business Rules

JOB :CIVIL, STRUCTURAL AND ARCHITECTURAL WORKS FOR STG, BOILER & AUXILIARIES, ESP,BUNKER, PLANT BUILDINGS ETC COMPLETE AT 3 x 33 MW, STG PROJECT, BHARAT OMAN REFINERY LIMITED (BORL),BINA (M P) TS NO ; BHE/PW/PUR/BORLI-CVL/477

BHEL shall finalize the contract for above through Reverse Auction mode. BHEL has made arrangement with M/s C1 India Pvt. Ltd., Delhi, who shall be BHEL's authorized service provider for the same. Please go through the guidelines given below.

1. Computerized reverse auction shall be conducted by BHEL, on the date intimated by BHEL, while the vendors shall be quoting from their own offices/ place of their choice. **Internet connectivity shall have to be ensured by each agency themselves. In extreme case of failure of Internet connectivity, (due to unforeseen circumstances- not power failure), fax communication shall have to be made immediately.** BHEL/M/s C1 India Pvt. Ltd .may decide to extend the bidding time, at their discretion, but not as right of the Bidder.
2. M/s C1 India Pvt. Ltd. shall arrange to demonstrate/ train your nominated person(s), without any cost to you. They shall also explain to the Bidders, all the Rules related to the Reverse Auction/ Business Rules Document to be adopted along with Bid Manual. **You are required to give your compliance on it before start of bid process.**
3. **Procedure of Reverse Auctioning**
 - i. **Online sealed bid:** The opening bid of the bidders as communicated online to C1 India Pvt. Ltd. shall be same as that quoted in their Final Sealed Price Bid (hard copy) submitted to BHEL alongwith their offer. The "Opening Bid" amount shall also be the same as the Total amount as given in the Excel Sheet(Soft copy) furnished to C1 India Pvt. Ltd. C1 India Pvt. Ltd. Shall cross check the "Opening Bid" amount with the Total Amount as given in Excel sheet. If the two amounts are not the same, the Bidder's offer shall not be considered for further processing. While submitting their offer to BHEL, **the bidders shall confirm in writing to BHEL that their Opening Bid will be the same as that quoted in their final sealed Price Bid (hard copy) submitted to BHEL, against the Tender Enquiry (Format No-RA5).** If it is found to be otherwise at a later date, the bidder will be disqualified from the tender.
 - ii. **English Reverse (no ties) {Dynamic Reverse Auction} : Opening Price (OP)** for starting the Reverse Auction will be the lowest Online Sealed Bid submitted online to C1 India Pvt. Ltd. Opening Price shall be visible to all the vendors at the start of the Dynamic Reverse Auction.. C1 India Pvt. Ltd. will start the Reverse Auction process, after due verifications of "Opening Bid" amount, as detailed at Sl. No. 1 above. You shall be required to start bidding now, from this Opening Price.

- iii. The **Minimum Bid Decrement** amount shall be specified by BHEL before start of bidding.
 - iv. Bidder has to submit the price bid in excel sheet as given by M/s C1 India Pvt. Ltd.. In this excel sheet, bidder has to fill the item rates in figures. **Bidders are to note that the Excel Sheet that will be provided to Bidders will be a Protected Worksheet In this worksheet the columns where Rates for individual Items (in figures) are to be filled in by the Bidder alone will be unprotected. Rates in figures will be automatically converted to words in the column for Rate in words. Conversion to words is being done through a macro. Bidders are required to take care of the settings of the computer to enable this macro to run. For this purpose, following shall be ensured: To enable the Macros – Tools→Macro→Security. Set Security to “Medium”. Close all the Microsoft Office Applications. Again open the file and enable the macros. This excel sheet will then automatically calculate the amount for each item and total cost of all items put together.**
 - v. During reverse auction, **bidders have to give decrement only on the total cost. Bidders are not allowed to change any item rate as given in Excel sheet.**
 - vi. Bidder should ensure that the rates quoted in excel sheet should be same as quoted in Price Bid (Hard copy of excel sheet) submitted directly to BHEL. In case of any variation in the rates of excel sheet (soft copy) and hard copy submitted by bidder as a sealed price bid, BHEL will disqualify the bidder and his price will not be considered for evaluation of bid.
 - vii. After the completion of English Reverse (no ties), the **Closing Price (CP)** shall be available for further processing.
4. **Successful vendor shall be required to submit the final prices, quoted during the English Reverse (no ties) in given Format after the completion of Auction to BHEL, duly signed and stamped as token of acceptance without any new condition other than those already agreed to before start of auction.**
 5. **Considering the initial quoted price and final quoted price after the reverse auction, BHEL will proportionately reduce the rates of individual items. (i.e. suppose the total price quoted by bidder in excel sheet & sealed price bid is X and after reverse auction the total price is Y, then rate of each item quoted by the bidder will be worked out as initial rate quoted multiplied by (Y/X). The value of Y/X shall be considered upto two decimals only.**
 6. English Reverse (no ties) shall be for a **period of 60 minutes**. If a bidder places a Bid in the last 5 minutes of Closing of the Auction, the auction shall get extended automatically for another 5 minutes. In case, there is no Bid in the last 5 minutes of closing of Auction, the Auction shall get closed automatically without any extension.
 7. During English Reverse (no ties), if no bid is received within the specified time, BHEL, at its discretion, may decide to revise Opening price/ scrap the reverse auction process/ proceed with conventional mode of tendering.
 8. Your bid will be taken as an offer to execute the work. Bids once made by you, cannot be cancelled/withdrawn and you shall be bound to execute the work as mentioned above at

your final bid price. **Should you back out and do not execute the contract as per the rates quoted, BHEL shall take action as appropriate.**

9. You shall be assigned a **Unique User Name & Password** by BHEL or/ M/s C1 India Pvt. Limited. You are advised to change the Password and edit the information in the Registration Page after the receipt of initial Password from BHEL/ M/s C1 to ensure confidentiality. All bids made from the Login ID given to you will be deemed to have been made by your company.
10. You shall be able to view the following on your screen along with the necessary fields in the English Reverse (no ties) { Reverse Auction} :
 - a. Leading Bid in the Auction (only price)
 - b. Bid Placed by you
 - c. Opening Price.
11. At the end of the Reverse Auction, BHEL will decide upon the winner. BHEL's decision on award of Contract shall be final and binding on all the Bidders.
12. BHEL shall be at liberty to call the lowest bidder for negotiations / cancel the reverse auction process / tender at any time, before ordering, without assigning any reason.
13. BHEL shall not have any liability to bidders for any interruption or delay in access to the site irrespective of the cause.
14. Other terms and conditions shall be as per techno-commercial enquiry.
15. **You are required to submit your acceptance to the terms/ conditions/ modality given above before participating in the reverse auction.**

RA-2

Terms & Conditions of Reverse Auction

1. **LOG IN NAME & PASSWORD:** Each Bidder is assigned a Unique User Name & Password by C1 India. The Bidders are requested to change the Password and edit the information in the Registration Page after the receipt of initial Password from C1 India. All bids made from the Login ID given to the bidder will be deemed to have been made by the bidder.
2. **BIDS PLACED BY BIDDER:** The bid of the bidder will be taken to be an offer to execute the work. Bids once made by the bidder cannot be cancelled. The bidder is bound to execute the work as mentioned above at the price that they bid. Should any bidder back out and do not execute the contract as per the rates quoted, BHEL and / or C 1 India Pvt. Ltd. shall take action as appropriate.
3. **LOWEST BID OF A BIDDER:** In case the bidder submits more than one bid, the lowest bid will be considered as the bidder's final offer to execute the work
4. **AUCTION TYPE:**
 - 1) Sealed bid Reverse Auction / Initial Auction.
 - 2) English Reverse No Ties / Dynamic Reverse Auction.
5. **DURATION OF AUCTION:** The duration of Auction will be for one **hour (2.00 PM TO 3.00 PM)** .If any Bidder is bidding just before 05 minutes of Auction closing time, the Auction will get extended for another 05 minutes. **(THIS SCHEDULE IS TENTATIVE. IN CASE OF CHANGE IN SCHEDULE, THE SAME SHALL BE COMMUNICATED TO YOU)**
6. **BID DECREMENT:** The minimum Bid decrement shall be available to the Bidders at the start of the auction. The bidder can view the same by clicking on the Item details at the start of the auction. The bidder can bid lower than the Lowest Bid in the auction by a decrement equal to the Minimum Bid Decrement or multiple of the Minimum Bid Decrement.
7. **VISIBILITY TO BIDDER:** The Bidder shall be able to view the following on his screen along with the necessary fields during English Reverse –No ties Auction:
 - Leading Bid in the Auction
 - Bid Placed by him
8. **AUCTION WINNER:** At the end of the Reverse Auction, BHEL will evaluate all the bids submitted and will decide upon the winner.
9. **PROXY BIDS:** Proxy bidding feature is a pro-supplier feature to safe guard the supplier's interest of any Internet failure or to avoid last minute rush. The Proxy feature allows Bidders to place an automated bid against other Bidders in an auction and bid without having to enter a new amount each time a competing Bidder submits a new offer. The bid amount that a Bidder enters is the minimum that the Bidder is willing to offer. Here the software bids on behalf of the supplier.
 - The proxy amount is the minimum amount that the Bidder is willing to offer. During the course of bidding, the Bidder cannot delete or change the amount of a Proxy Bid.

- Bids are submitted in decrements (decreasing bid amounts). The application automates proxy bidding by processing proxy bids automatically, according to the decrement that the auction originator originally established when creating the auction, submitting offers to the next bid decrement each time a competing Bidder bids, regardless if competing bids are submitted as proxy or standard bids.

10. GENERAL TERMS & CONDITIONS: Bidders are required to read the “Terms and Conditions” section of the auctions site (<https://auctions.gate2biz.net>) using the Login Ids and passwords given to them.

11. OTHER TERMS & CONDITIONS:

- The Bidder shall not involve himself or any of his representatives in Price manipulation of any kind directly or indirectly by communicating with other suppliers / bidders.
- The Bidder shall not divulge either his Bids or any other exclusive details of BHEL to any other party.
- BHEL’s decision on award of Contract shall be final and binding on all the Bidders.
- BHEL along with C1 India can decide to extend, reschedule or cancel any Auction. Any change like “Opening Price”, “Minimum Bid Decrement” or other parameters of the Reverse Auction made by BHEL and / or C1 India after the initial hosting on the Auction Engine will have to be unconditionally accepted by the Bidder and continue to participate in the Reverse Auction.
- C1 India shall not have any liability to Bidders for any interruption or delay in access to the site irrespective of the cause.
- C1 India is not responsible for any damages, including damages that result from, but are not limited to negligence. C1 India will not be held responsible for consequential damages, including but not limited to systems problems, inability to use the system, loss of electronic information etc.

N.B.

All the Bidders are required to submit the Agreement Form (Process Compliance Form) duly signed to C1 India Pvt. Ltd. by (AUCTION DATE). After the receipt of the Agreement Form, Log in ID & Password shall be allotted to the Bidders.

RA-3

Process Compliance Form

(The bidders are required to print this on their company's letter head and sign, stamp before faxing)

To

C1 India Pvt. Ltd.,
D-5, Defence Colony,
New Delhi 110024.

Sub: Agreement to the Process related Terms and Conditions

Dear Sir,

This has reference to the Terms & Conditions for the Reverse Auction mentioned in the Tender document.

This letter is to confirm that:

- 1) The undersigned is authorized representative of the company.
- 2) We have studied the Commercial Terms and the Business rules governing the Reverse Auction as mentioned and confirm our agreement to them.
- 3) We also confirm that we have taken the training on the auction tool and have understood the functionality of the same thoroughly.
- 4) We also confirm that we will fax the price confirmation

We, hereby confirm that we will honour the Bids placed by us during the auction process.

With regards

Signature with company seal

Name –

Company / Organization –

Designation within Company / Organization –

Address of Company / Organization –

IMPORTANT NOTE:

- Sign this document and Fax at 011- 24655186
- **Attach a duly filled in and signed copy of Pages 1 to 7 of this document along with the Agreement Form (Process Compliance Form) and send to C1 India Pvt. Ltd.**

RA 4

Final price quoted during reverse auction

To
C1 India Pvt Ltd
D 5, Defence Colony
New Delhi – 110024

Sub: Final price quoted during reverse auction.

Dear Sir,

We confirm that we have quoted. Rs----- as our final price (ie total for all items of Rate Schedule) during the Reverse Auction conducted today.

We also confirm that we are agreeable to BHEL calculating the rates for individual items of Rate Schedule, as defined in Clause No 5 of RA-1.

Thanking you and looking forward to the valuable order from BHEL.

Yours sincerely,

For _____

Name:
Company:
Date:
Seal:

Copy To;
Senior Manager,
Purchase, BHEL, PSWR,
Nagpur

RA- 5

Opening Bid amount is same as quoted in Sealed Price Bid

**To
Bhart Heavy Electricals Ltd
Shreemohini Complex
345, Kingsway,
NAGPUR-01**

Sub: Opening Bid amount is same as quoted in Sealed Price Bid.

Dear Sir,

We confirm that our opening bid amount shall be same as that quoted in sealed price bid (Hard copy of price bid submitted along with our offer).

Thanking you and looking forward to the valuable order from BHEL.

Yours sincerely,

For _____

**Name:
Company:
Date:
Seal:**

**Copy To;
Senior Manager,
Purchase, BHEL, PSWR,
Nagpur**

RA-6

CONTACT INFORMATION

C1 INDIA PVT. LTD.	BHARAT HEAVY ELECTRICALS LIMITED
AKSHAYA RATH C1 INDIA PVT. LTD. D- 5, DEFENCE COLONY NEW DELHI- 110024 INDIA PHONE: +91-11- 24629600 (EXTN. 207) MOBILE: +91- 09350251043 FAX: +91- 11- 24655186 / 24622773 VIJAY KUMAR - 9844111607 E-MAIL: akshaya.rath@c1india.com	JACOB MATHEW SR.DGM(PUR & FEX), BHEL, PSWR, NAGPUR PHONE :0712- 3048633,3048600 MOBILE : 9422805230 E-MAIL : jmathew@bhelpswr.co.in
MANSI KUMAR C1 INDIA PVT. LTD. D- 5, DEFENCE COLONY NEW DELHI- 110024 INDIA PHONE: +91-11- 24629600 (EXTN. 212) MOBILE:+91-09810006951 FAX: +91- 11- 24655186 / 24622773 E-MAIL: mansi.kumar@c1india.com	S.M. BORKAR SR. MANAGER(PUR) BHEL, PSWR, NAGPUR PHONE: 0712 3048639 E-MAIL: smborkar@bhelpswr.co.in