

TENDER

NIT No. -HEP:QIX:MIS:CQ:2022-24 Date: 20/09/2021

Rate contract for inspection of purchased and brought out items order by BHEL from all over india (for indigenous and export contracts) at bhel approved suppliers/sub-suppliers work and identified testing laboratories situated/ located with in india only.

INSTRUCTIONS TO BIDDERS



QUALITY CONTROL ANCILLARY DEPARTMENT (QIX)
QUALITY-DIVISION

BHARAT HEAVY ELECTRICALS LIMITED

(A Government of India Undertaking) BHOPAL – 462 022 (M.P)



SECTION-III

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Signature of Bidder



BHARAT HEAVY ELECTRICALS LIMITED: BHOPAL
QUALITY CONTROLL ANCILLARY DEPARTMENT-QIX

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Clause	Contents
3.1	INSTRUCTION TO BIDDERS (ITB)
3.1.1	<p>The bid is invited Sealed offers in two part bid system Part-I: Techno-commercial Bid; Part-II: Price Bid are invited from reputed & experienced bidders meeting PRE QUALIFICATION CRITERIA as mentioned in Annexure-1 (of NIT) for the subject job by the undersigned on the behalf of BHARAT HEAVY ELECTRICALS LIMITED as per the tender.</p> <p>The sealed Tenders to be dropped in the tender box (Green color) in the tender room. Tender received after 11:00AM will be treated as late tender on due date.</p>
3.1.2	Scope of work shall be as per Section-II of technical specification & special condition of contract. (Attached in special terms and conditions clause)
3.1.3	The bidder should fulfil all the minimum qualifying requirements.
3.1.4	BHEL reserves right to ask any additional information.
3.1.5	Notwithstanding anything stated above BHEL reserves the right to carry out Physical verification of infra-structural facilities to assess bidder capability and capacity to perform the work. In case, any deficiency/ discrepancy is noticed at any point of time between the documents submitted and the physical verification, the bid is liable to be rejected/ contract is liable to be cancelled.
3.1.6	The bidder has to quote as per the price Format (As per Volume-III) of the specifications. The bidder who has submitted prices in any other form shall be rejected. The bidder who does not submit EMD, offer will be rejected except exemptions as per Statutory/ Regulatory requirements.
3.1.7	The Bid offers to be submitted in two part bid system. Part-A shall contain EMD of Rs: 13,84,400/- (Thirteen lacs eighty four thousand four hundred only) , techno –commercial offer and un-priced bid. Part- B shall contain price bid only. Price bid of only those prospective bidders shall be opened who are found techno –commercially acceptable. Price bid with any conditions is liable to be rejected.
3.1.8	The bidder shall assure that all the information/ documents furnished by the bidder for the bid are true to the best of their knowledge and belief. In case they are found untrue or false, the bid submitted by the bidder or the contract awarded to him in the event of acceptance of the bid, shall be liable to be cancelled/ withdrawn without any notice or compensation.
3.1.9	Tenders received late, shall be rejected.
3.1.10	BHEL reserves the right to extend due date and time for issuance of bid Documents and the due date and time for submission and /or opening of bids which shall be suitably intimated to concerned bidders.
3.1.11	Notwithstanding anything stated above BHEL reserves the right to reject any or all bids or cancel / withdraw the invitation for bids without assigning any reason there off and in such cases no bidder shall have any claim arising out of such action.

Signature of Bidder



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Clause No		Contents
3.2		BID DOCUMENT
3.2.1		CONTENTS OF BID DOCUMENT
	3.2.1.1	Bid Sections
	3.2.1.2	The Bidder is expected to examine all instructions, terms and conditions, specifications, Forms and other information in the Bid document. Failure to furnish all information required by Bid- documents or submission of a bid not substantially responsive to the bid document will be at bidder's risk and may result in rejection of bid.
3.2.2		CLARIFICATION OF BID DOCUMENT
	3.2.2.1	<p>The Bidder is required to carefully examine the Bidding document and fully inform himself as to all the conditions and matters, which may in any way affect the performance of the contract or cost thereof. If any Bidder finds discrepancies or omissions in the document or is in doubt as to the true meaning of any part, he may notify to the concerned BHEL official in writing or by fax/email. BHEL will respond in writing or by email to any request for clarification of the Bid document, which he receives earlier than Ten (10) days prior to submission of bids. All such interpretations and clarifications shall form part of the Bid document and accompany the Bidders proposal.</p> <p>Bid should be free from correction, overwriting, using corrective fluid, etc. Any interlineation, cutting, erasure or overwriting shall be valid only if they are attested under full signature(s) of person(s) signing the bid else bid shall be liable for rejection. All overwriting/cutting, etc. will be numbered by bid opening officials and announced during bid opening.</p>
	3.2.2.2	Verbal clarifications and information given by any employee(s) of BHEL shall not in any way be binding on BHEL.
3.2.3		AMENDMENT TO TENDER DOCUMENT
	3.2.3.1	BHEL reserve the right to issue amendments, clarifications to the Tender Document to all the bidders who have received the Tender Document, giving reasonable time prior to bid opening. Such amendment / clarifications (tender change notice (TCN)) etc. shall be given due consideration by the bidders while they submit the Bids and invariably enclose such documents as a part of the bid.
3.3		PREPARATION OF BIDS
3.3.1		LANGUAGE OF BID
	3.3.1.1	The Bid prepared by the Bidder and all correspondence and documents relating to the bid exchanged by the Bidder and BHEL shall be written in English.
3.3.2		DOCUMENT COMPRISING THE BID

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All the relevant documents pertaining to Techno-commercial bid as well as scope of work should be duly sealed & signed and properly submitted in legible form.

a) Particulars of Inspection Agency, Bio-data, Bidder Certification Form as applicable along with enclosures and supporting documents.

b) Check lists as applicable

c) Bid forms as applicable as per annexure-2 duly completed & signed by the Bidder

d) Un-priced bid

e) Price schedule duly completed by the Bidder (Price-Bid, Volume-III).

f) Power of Attorney: A power of attorney, duly notified by a Notary Public, in favor of authorized signatory by the competent authority in the organization.

Clause No	Contents
3.3.3	PRICE BID: Bidder shall quote price as follows:
3.3.3.1	Inspection charges as percentage (%) of basic PO value for the inspection of ordered items.
3.3.3.2	Government levied taxes shall be paid extra as applicable from time to time Government levied taxes part should be mentioned separately and not to be included in the prices. This has to be claimed along with invoice which will have Service Tax Registration Number printed. All the terms & conditions of the contract with respect to Taxes & Duties are subject to the new taxation laws introduced from time to time (e.g., GST). The terms & conditions will be modified in accordance with the provisions of new laws (e.g. GST).
3.3.3.3	The prices shall remain firm during validity period of Service Contract. No Price Variation Clause is admissible.
3.3.3.4	The price shall be inclusive of all other charges such as transport, accommodation and other incidental charges.
3.3.3.5	The following The bidder should take into considerations the following eventualities, while quoting the price, as no charges shall be payable in following cases: - <ul style="list-style-type: none">• Stage inspection.• Material not offered for inspection by a supplier during the visit due to any reason.• Extra visits required for Rework or rectification or rejection of material during inspection by TPIAs.• Rejection of material by user (Unit/ BHEL Customer) after inspection clearance of TPIA
3.3.3.6	Treatment of Arithmetical Errors:

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	<p>Provided that the bid is substantially responsive, BHEL shall correct arithmetical errors on the following basis. The prices should be quoted strictly as per Clause no. 3.3.3 in both figures and words.</p> <p>In case of any mismatch between the prices quoted in figures and words, the price quoted in words will prevail and will be considered for evaluation. If there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail and the total shall be corrected.</p> <p>However, in case of any dispute regarding interpretation of the above, BHEL's decision shall be final and binding on the parties. Offers not fulfilling any of the above conditions shall be rejected and their bids will be disqualified.</p>
3.3.4	<p>COST OF BIDDING: All costs and expenses incidental to preparation and submission of the bid including pre-award discussions with the Bidders, technical and other documentation etc. shall be to the account of the Bidder. BHEL will in no case be responsible or liable for these costs and expenses, regardless of the conduct or outcome of the bidding process.</p>

Clause No	Contents
3.3.5	<p>BID VALIDITY PERIOD: Validity period of an offer shall be three months (180 Days) from the date of tender opening.</p>
3.3.6	<p>EARNEST MONEY DEPOSIT (EMD)</p>
3.3.6.1	<p>The bidder shall furnish EMD & tender cost of Indian Rupees 13,84,400/- (Thirteen lacs Eighty four thousand four hundred only) + Tender cost of Indian Rupees 1000/- (Rupees One thousand only) as a part of its bid in the form of NEFT in favor of Bharat Heavy Electricals Limited in the following forms:</p> <p>(i) Electronic Fund Transfer credited in BHEL account (before tender opening) Website: https://bpl.bhel.com/qcins/iccs.htm</p> <p>(ii) Banker's cheque/ Pay order/ Demand draft, in favour of BHEL (along with offer)</p> <p>In case total EMD amount is more than 20 Lakh, the amount in excess of 20 lakhs may be accepted in the form of Bank Guarantee from scheduled bank. The Bank Guarantee in such cases shall be valid for at least six months.</p> <p>While submitting Bid, bidder shall submit the cancelled cheque containing Name of Beneficiary, Account No, Name of Bank, Branch, IFSC Code for refund of EMD.</p>
3.3.6.2	<p>The EMD is required to ensure that the bidder does not refuse to:</p> <ul style="list-style-type: none">• Accept the letter of Award of Rate Contract• Sign the contract agreement• Furnish the required Security

Signature of Bidder



3.3.6.3	EMD by the Tenderer will be forfeited as per NIT conditions, if: After opening the tender and within the offer validity period, the tenderer revokes his tender or makes any modification in his tender which is not acceptable to BHEL. The tenderer fails to deposit the required Security deposit or commence the work within the period as per LOI/ Contract. EMD by the tenderer shall be withheld in case any action on the tenderer is envisaged under the provisions of extant "Guidelines on Suspension of business dealings with suppliers/ contractors" and forfeited/ released based on the action as determined under these guidelines.
3.3.6.4	Any bid received without Earnest Money Deposit shall not be considered.
3.3.6.5	EMD given by all unsuccessful tenderers shall be refunded normally within fifteen days of award of work.
3.3.6.6	EMD shall not carry any interest.
3.3.7	FORMAT AND SIGNING OF THE BID
3.3.7.1	The bidder shall prepare an original and one (1) copy/set of the Bid clearly marking each one as "Original Bid" and "Copy No 1". In the event of any discrepancy between them the original shall govern.
3.3.7.2	The original and copy of the bid, each consisting of the documents listed in ITB Clause 3.3.2 (Documents Comprising Bid), shall be typed or written with indelible ink and signed by the Bidder or a person or persons authorized to sign the Bid.
3.3.7.3	Names of person (s) signing the bid should be typed or printed below the signature. The person or persons signing the Bid shall affix a company seal and sign on each page except printed literature.
3.3.7.4	Bid by a partnership firm must be furnished with full names of all partners and be signed with the partnership name, followed by the signature(s) and designation (s) of the authorized partner(s) or other authorized representative (s) (Authenticated copy of Partnership Deed shall be furnished along with the Bid).
3.3.7.5	Bid by Corporation/Company must be signed with the legal name of the Corporation/Company by the President, Managing Director or Secretary or other person(s) authorized to sign the bid on behalf of such Corporation/Company in the matter.
3.3.7.6	A Bid by a person who affixes to his signature the word 'President', 'Managing Director', 'Secretary', 'Agent', or other designation without disclosing his principal will be rejected.
3.3.7.7	Satisfactory evidence of authority of the person signing on behalf of the Bidder shall be furnished with the bid in the form of a Power of Attorney, duly notarized by a Public Notary, indicating that the persons signing the bid have the authority to sign the bid and that the bid is binding upon the Bidder during the full period of its validity.
3.3.7.8	The Bidder's name stated on the proposal shall be the exact legal name of the firm.
3.3.7.9	Any cutting/overwriting shall be valid only if they are signed by signatory to the Bid.
3.3.7.10	Bids not conforming to the above requirements of authentication by authorized signatory are liable to be rejected.

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3.3.7.11	Combined offers (i.e.) Technical bid along with price bid shall be rejected.
3.4	SUBMISSION OF BIDS
3.4.1	SEALING AND MARKING OF BIDS
3.4.1.1	<p>Two- parts bid procedure shall be adopted for preparation, submission and evaluation of bids. The bidder must submit the Bid with proper documents.</p> <p>Part –A: Technical Bid (consisting of EMD, Tender Cost and Techno Commercial Bid)</p> <p>(a) Earnest Money Deposit:</p> <p>(b) Electronic Fund Transfer credited in BHEL account</p> <p>(c) Banker's cheque/ Pay order/ Demand Draft, in favor of BHEL (along with offer)</p> <p>(d) Techno- Commercial (1 original + 1 copy)</p> <p>Integrity Pact (As per Annexure 10, attached in misc. section)</p> <p>Bid along with duly filled and Signed & Stamped (all pages of tender terms & conditions) copies of 'Particulars of Inspection Agency Check-list', General Requirements, Un-priced Bid. and General Conditions of Contract (GCC)</p> <p>Part – B: Price Bid</p> <p>(i) Price Bid (1 original + 1 copy)</p>

3.4.1.2	Technical and Price Bid shall, then, be sealed in an outer envelope duly marked as "Original Bid" and "Copy No. 1". In the event of any discrepancy, the "original" shall govern.
3.4.2	LAST DATE FOR SUBMISSION OF BIDS.
3.4.2.1	In the event of the date of submission of Bids being declared as holiday for BHEL, the bids will be received up to the appointed time on the next working day.
3.4.2.2	BHEL may at its discretion, extend the deadline for submission of bids by issuing an amendment (TCN) in accordance with ITB Clause 3.2.3 (Amendment to Tender Document), in which case all rights and obligations of BHEL and the Bidders previously subject to the original deadline shall thereafter be subject to the new last date as extended.
3.4.3	<p>LATE TENDERS:</p> <p>Tenders received after the specified date and time of their "Receipt" are treated as Late Tenders. Tenders received late shall be rejected</p>
3.4.4	MODIFICATION AND WITHDRAWAL OF BIDS
3.4.4.1	No modification in the price bid shall be allowed after submission. Withdrawal of the bid shall, however, be permitted in case written request is received from the bidder before the date & time of opening, Bid withdrawal notices received after the bid opening date and time will be ignored, and the bid will be deemed to be a valid submitted bid.
3.4.4.2	No bid may be withdrawn in the interval between the last date for submission of bids and the expiration of the period of bid validity specified in ITB Clause 3.3.5 (Bid Validity Period). Withdrawal of a bid during this interval may result in the Bidders forfeiture of the EMD, pursuant to ITB Clause 3.3.6 3
3.5	BID OPENING AND EVALUATION
3.5.1	OPENING OF BIDS

Signature of Bidder



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3.5.1	3.5.1.1	All bids including withdrawals made pursuant to ITB Clause 3.4.4 (Modification and withdrawal of Bids) will be opened at BHEL-Bhopal by the officer(s) duly authorized by BHEL for this purpose at the date and time given in the Tender. In the event of specified date of bid opening being holiday for BHEL, the Bids shall be opened at the appointed time and location on the next working day.
	3.5.1.2	Bidder's authorized representative (up to two persons) may attend the bid opening and they have to sign the attendance sheet provided by BHEL for evidencing their participation. No electronic recording device/ mobile phones etc. shall be permitted during the bid opening.
	3.5.1.3	Envelopes marked "Withdrawal" shall be opened and read out first. Bid for which an acceptable notice of withdrawal has been submitted pursuant to ITB clause 3.4.4 (Modification and withdrawal of Bids) here of shall not be opened.
	3.5.1.4	The Part-A of the bid (Technical Bid) only shall be opened on the date of opening. The bid of only those bidders shall be considered which contains the EMD and Tender Cost of requisite value in acceptable form. The bids with EMD or Tender Cost deficit in value / form will not be further processed.
	3.5.1.5	The officer(s) of BHEL authorized for opening of bids will announce the Bidder's names, written notifications of withdrawals, if any, the presence or absence of the requisite EMD or any other information felt necessary.
	3.5.1.6	The part-B (Price Bid) of the tender of only those bidders, whose Techno-Commercial bid is found acceptable shall be opened at a date and time for which separate intimation shall be sent.
3.5.2		CLARIFICATION OF BIDS: To assist in examination, evaluation and comparison of bids, BHEL may at its discretion ask any bidder for clarification of his bid. The request for clarification and the response shall be in writing E-mail.
3.5.3		EVALUATION AND COMPARISON OF BIDS
	3.5.3.1	Techno-commercial Evaluation: BHEL will carry out a detailed evaluation of bids in order to determine whether the technical aspects are in accordance with the requirements set forth in the bid document.
	3.5.3.2	Compliance with the qualification and eligibility requirement shall first be evaluated. The bidders, who do not meet the minimum specified requirements, shall be rejected.
	3.5.3.3	If the bidder is found qualified, the bid will be taken for further evaluation.
	3.5.3.4	The price bid of the bidders, whose techno-commercial bid is found acceptable, shall be opened on the specified date and time and shall be evaluated by BHEL.
3.5.4		NUMBER OF INSPECTION AGENCIES TO BE EMPANELLED
	3.5.4.1	BHEL intends to empanel 2 (two) inspection agencies. The lowest Bidder shall be awarded the highest percentage of the load.
	3.5.4.6	BHEL units/Divisions may exercise discretion to take services of any of approved Third Party Inspection Agency in any part of India in situations like: <ul style="list-style-type: none"> • Fine tuning and balancing business share • Customer's preference of particular inspection agency. • Refusal of inspection/ Delay or discrepancy in inspection or related records. • Any other contingency.
3.6		AWARD OF RATE CONTRACT

Signature of Bidder



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3.6.1		After evaluation of price bid, BHEL shall notify the successful bidders in writing by registered letter or e-mail "confirmed by registered letter or e-mail" that their bids have been accepted. The notification of award shall constitute the formation of Contract.
3.6.2		The construction/ execution of Rate Contract shall be in accordance with clause 4.3 of Section-IV GCC.
3.6.3		The bidder shall deposit Security in a manner provided in Clause 4.8 of GCC.
3.6.4		After signing the Rate Contract, BHEL will promptly notify each unsuccessful bidder and discharge its EMD as per Clause 3.3.6.5.
3.6.5		Any effort by a bidder to influence or pressurize BHEL officials or otherwise to gain undue favour by any means during the entire process of award of contract may result in rejection of bid.

NOTICE INVITING TENDER

NOTE: INTENDING BIDDER TO PARTICIPATE MAY DOWNLOAD FROM BHEL WEB SITE

Sealed offers in two part bid system are invited from reputed & experienced bidders meeting PRE-QUALIFICATION CRITERIA as mentioned in Annexure-1 through submitting relevant documents only, for the subject job by the undersigned on the behalf of BHARAT HEAVY ELECTRICALS LIMITED as per the tender document. Issue/ forwarding intimation regarding tender to any bidder shall not construe that the bidder is considered to be qualified. Following points relevant to the tender may please be noted and complied with.

4.0 Salient Features of NIT

Bids in two parts (Techno commercial & price bid) are invited from reputed & experienced bidders meeting PRE QUALIFICATION REQUIREMENT as mentioned in PQC Section of NIT, for the subject job by the undersigned on the behalf of BHARAT HEAVY ELECTRICALS LIMITED as per the tender document. Issue/ forwarding intimation regarding tender to any bidder shall not construe that the bidder is considered to be qualified. Following points relevant to the tender may please be noted and complied with.

SL NO	ISSUE	DESCRIPTION
i	TENDER NUMBER	HEP:QIX:MIS:CQ:2022-24
ii	Broad Scope of job	Rate Contract for Inspection of Purchased and Bought-out items ordered by BHEL from all over India (for indigenous and export contracts) at BHEL approved suppliers / sub-suppliers works and identified Testing Laboratories situated / located within India only.
iii	DETAILS OF TENDER DOCUMENT	
a	Section-I	Introduction about the project
b	Section-II	Special Terms & Conditions (Technical)

Signature of Bidder



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c	Section-III	Instruction to bidders
d	Section-IV	General conditions of contract
e	Annexure-1	Pre-Qualification Requirement (PQR)
f	Clause 4.7 of Section IV	Payment Terms
g	Volume-III	Price Schedule
h	Section-II	Penalties
iv	Issue of tender documents	This is Open floated Tender. Start date of the tender: 20/09/2021
v	Due date & time of offer submission	Date: 15/10/2021 Time: 11:00 AM The bidder should respond by submitting their offer to the address mentioned in the NIT Offers are invited in two-parts only Copy bid or bids through email/ fax shall not be accepted.
vi	Opening of tender	Date: 15/10/2021 Time: 02:00 PM
vii	EMD amount	INR 13,84,400/- (Thirteen lacs Eight four thousand four hundred only)
viii	Cost of tender	INR 1000/-
ix	Last date for seeking clarification	Date: 05/10/2021
x	Schedule of pre bid	Not Applicable
xi	Discussion (PBD)	-
xii	Integrity pact & details of independent external monitor (IEM)	APPLICABLE
xiii	Latest updates	Latest updates on the important dates, Amendments, Correspondences, Corrigenda, Clarifications, Changes, Errata, Modifications, Revisions, etc to Tender Specifications will be hosted on BHEL official website.

2.0 The offer shall be submitted as per the instructions of tender document and as detailed in this NIT. Bidders to note specifically that all pages of tender document, including these NIT pages of this particular tender together with subsequent correspondences shall be submitted by them, duly digitally signed & stamped on each page, as part of offer. Rates/Price including discounts/rebates, if any, mentioned anywhere/ in any form in the techno-commercial offer other than the Price Bid, shall not be entertained.

3.0 EMD to be submitted online as per instructions mentioned in General Conditions of contract (GCC).

Signature of Bidder



5.0 Procedure for Submission of Tenders:

DOCUMENTS TO BE SUBMITTED

Sl no	Description	Remarks
Part-i a	(TECHNO COMMERCIAL BID)	
	CONTAINING THE FOLLOWING:-	
i.	Covering letter/Offer forwarding letter of Tenderer. (To be submitted against each section)	
ii	<p>Duly filled-in 'No Deviation Certificate' as per prescribed format. (To be submitted against each section)</p> <p>Note: (Send your bid as per our sections of NIT with 'Headings' (e.g. section-1 etc.) for easy scrutiny</p> <p>a. In case of any deviation, the same should be submitted separately for technical & commercial parts, indicating respective clauses of tender against which deviation is taken by bidder. The list of such deviation shall be attached against relevant section. It shall be specifically noted that deviation recorded elsewhere shall not be entertained.</p> <p>b. BHEL reserves the right to accept/reject the deviations without assigning any reasons, and BHEL decision is final and binding.</p> <p>i). In case of acceptance of the deviations, appropriate loading shall be done by BHEL</p> <p>ii). In case of unacceptable deviations, BHEL reserves the right to reject the tender</p>	
iii.	Supporting documents/ annexures / schedules/ drawing etc as required in line with Pre-Qualification criteria. It shall be specifically noted that all supporting documents as per above shall be send as per relevant attachment section and credential certificates issued by clients shall distinctly bear the name of organization, contact ph no, FAX no, etc.	
iv.	All amendments/Correspondences/Corrigenda/Clarifications/Changes/ Errata etc pertinent to this NIT. (To be submitted against each section)	
v.	Integrity Pact Agreement (Duly signed by the authorized signatory)	
vi.	Duly filled-in annexures, formats (given in MISC. Section) etc. as required under this Tender Specification/NIT (To be submitted against each section)	
vii.	Notice inviting Tender (NIT) (To be attached with signature on each document)	

Signature of Bidder



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viii.	Section-I: Introduction about the project (To be submitted against section)	
ix.	Section – II: Special Terms & Conditions (Technical) (To be submitted against section)	
x.	Section-III: -Instruction to bidders (To be submitted against each section)	
xi.	Section-IV: - General conditions of contract (To be submitted against each section)	
xii.	Reverse Auction “BHEL shall be resorting to Reverse Auction (RA) (Guidelines as available on www.bhel.com) for this tender/Bidder acceptance in remark	
xiii.	Volume–III - (UNPRICED – without disclosing rates/price, but mentioning only ‘QUOTED’ or ‘UNQUOTED’ against each item. (To be submitted in Unpriced Bid Attachment)	
xiv.	Any other details preferred by bidder with proper indexing. (To be submitted against each section)	
Part-i b	EMD OF TENDER (To be submitted online within due date of offer submission) Earnest Money Deposit (EMD) in the form as indicated in this Tender/Send copy of EMD deposited	

Part-ii	PRICE BID	
	CONTAINING THE FOLLOWING:-	
i	Covering letter/Offer forwarding letter of Tenderer enclosed in Part-I	
ii	Volume III – PRICE BID (Duly Filled in Schedule of Rates – rate/price to be entered in words as well as figures) Any other document uploaded in the price bid, apart from above tender format, shall not be taken into cognizance for evaluation of offer.	

NOTE:

- (a) Your offer & documents submitted along with offer shall be digitally signed & stamped in each page by your authorized representative. No overwriting/ correction in tender documents by bidders shall be allowed. However, if correction is unavoidable, the same may be signed by authorized signatory.

Signature of Bidder



- (b) The credentials/ documents submitted towards compliance of Pre-qualification requirement shall be physically/digitally signed by the authorized signatory & stamped before submission with the offer.
- (c) **All documents/ annexures submitted with the offer shall be properly attached in the respective sections.** BHEL shall not be responsible for any missing documents.
5. No Deviation with respect to tender clauses and no additional clauses/ suggestions/ in Techno-commercial bid/ Price bid shall normally be considered by BHEL. Bidders are requested to positively comply with the same.

6. PROVISION OF SPLITTING:

BHEL intends to empanel "2" (two) inspection agencies. The lowest Bidder shall be awarded the highest percentage of the load. BHEL reserves the right to split the order between L1 and other qualified bidders excluding the H1 bidder (except in the case of two qualified bidders). Splitting shall

be on around 60:40 basis after getting L2/L3/L4 ...LN on bidder's acceptance of the counter offered L1 price, but except H1(except in the case of two qualified bidders). Sequence of counter offer shall be as per their respective ranking. Also in case of two qualified bidders BHEL reserves the right of splitting on around 60:40 basis. In case, none of the other bidders i.e. L2, L3 ..., who are offered Business share fail to accept, BHEL reserves the right to give entire business to original L1 bidder.

BHEL units may exercise discretion to take services of any of approved Third Party Inspection Agency in any part of India in situations like:

- Fine tuning and balancing business share
- Customer's preference of particular inspection agency.
- Refusal of inspection/ Delay or discrepancy in inspection or related records.
- Any other contingency.

7. BHEL reserves the right to accept or reject any or all Offers without assigning any reasons thereof. BHEL also reserves the right to cancel the Tender wholly or partly without assigning any reason thereof. Also BHEL shall not entertain any correspondence from bidders in this matter (except for the refund of EMD).
8. Since the job shall be executed at units/division/site, bidders must visit these work areas and study the job content, facilities available, availability of materials, prevailing site conditions including law & order situation, applicable wage structure, wage rules, etc. before quoting for this tender. They may also consult this office before submitting their offers, for any clarifications regarding scope of work, facilities available at sites or on terms and conditions.
9. For any clarification on the tender document, the bidder may seek the same in writing, through e-mail, as per specified format, within the scheduled date for seeking clarification, from the office of the undersigned. BHEL shall not be responsible for receipt of queries after due date of seeking clarification due to any delay. Any clarification / query received after last date for seeking clarification may not be normally entertained by BHEL and no time extension will be given.
10. BHEL may decide holding of pre-bid discussion [PBD] with all intending bidders as per date indicated in the NIT. The bidder shall ensure participation for the same at the appointed time, date and place as may be decided by BHEL. Bidders shall plan their visit accordingly. The outcome of pre-bid discussion

Signature of Bidder



(PBD) shall also form part of tender.

11. In the event of any conflict between requirement of any clause of this specification/ documents/drawings/data sheets etc. or requirements of different codes/standards specified, the same to be brought to the knowledge of BHEL in writing for clarification before due date of seeking clarification (whichever is applicable), otherwise, interpretation by BHEL shall prevail. Any typing error/missing pages/ other clerical errors in the tender documents, noticed must be pointed out before pre-bid meeting/submission of offer else BHEL's interpretation shall prevail.
12. Unless specifically mentioned otherwise, bidder's quoted price shall have deemed to be in compliance with tender including PBD.
13. Bidders shall submit Integrity Pact Agreement (Duly signed by authorized signatory who signs in the offer), if applicable, along with techno - commercial bid. This pact shall be considered as a preliminary qualification for further participation. **The names and other details of Independent External Monitor (IEM) for the subject tender is as given at point 32 (below).**
14. The Bidder has to satisfy the Pre-Qualifying Requirements (as applicable) stipulated for this Tender in order to be qualified. The Price Bids of only those bidders will be opened who will be qualified for the subject job on the basis of satisfying the Pre-Qualification Criteria specified in this NIT as per Annexure-1 (as applicable), past performance etc. and date of opening of price bids shall be intimated to only such bidders. BHEL reserves the right not to consider offers of parties under HOLD.
15. PRICE BID (Sealed volume III) shall be opened of qualified bidders, the date & time of opening of the price bid shall be intimated to the qualified bidders.
16. Validity of the offer shall be for six months from the latest due date of offer submission (including extension, if any) unless specified otherwise.
17. BHEL reserves the right to go for **Reverse Auction (RA)** (Latest Guidelines as available on www.bhel.com). This will be decided after techno- commercial evaluation. Bidders to give their acceptance with the offer for participation in RA. Non- acceptance to participate in RA may result in non-consideration of their bids, in case BHEL decides to go for RA.

"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- 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."

However, if reverse auction process is not adopted or is unsuccessful for whatsoever reason, absolute value price bid (Volume-III) will be opened for deciding the successful bidder. BHEL's decision in this regard will be final & binding on bidder.

Those bidders who have given their acceptance to participate in Reverse Auction will have to necessarily submit 'Process compliance form' (to the designated service provider) in the Reverse Auction (During

Signature of Bidder



RA process on intimation by BHEL). Non-submission of 'Process compliance form by the agreed bidder(s) will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/contractors (as available on www.bhel.com).

The envelope sealed price bid of successful L 1 bidder in RA, if conducted, shall also be opened after RA and the order will be placed on lower of the two bids (RA closing price & envelope sealed price) thus obtained. The bidder having submitted this offer specifically agrees to this condition and undertakes to execute the contract on thus awarded rates.

In case BHEL decides to go for reverse auction, the H1 bidder (whose quote is highest in online sealed bid) may not be allowed to participate in further RA process. RA will be conducted as per latest guidelines/circulars issued by BHEL:

“GUIDELINES FOR REVERSE AUCTION – 2021”

(AA:SSP:RA:05 dated 08.03.2021)

Amendment No. Date of issue Remarks

01 10.03.2021 Clause 10.1 modified

18. On submission of offer, further consideration will be subject to compliance to tender & qualifying requirement and customer's acceptance, as applicable.
19. In case the bidder is an "Indian Agent of Foreign Principals", 'Agency agreement has to be submitted along with Bid, detailing the role of the agent along with the terms of payment for agency commission in INR, along with supporting documents.
20. The bidders shall not enter into any undisclosed M.O.U. or any understanding amongst themselves with respect to tender.
21. In case Consortium Bidding is allowed as per Pre Qualifying Requirement, then Prime Bidder and Consortium Partner shall enter into Consortium Agreement. Validity period of Consortium Agreement shall be 6 months after which the same can be re-validated.
Standalone bidder cannot become a 'prime bidder' or a 'consortium bidder' in a consortium bidding. Prime bidder shall neither be a consortium partner to other prime bidder nor take any other consortium partners. However, consortium partner may enter into consortium agreement with other prime bidders. In case of noncompliance, consortium bids of such Prime bidders will be rejected.
22. The bidder shall submit documents in support of possession of 'Qualifying Requirements' duly self-certified and stamped/ digitally signed (as applicable) by the authorized signatory, indexed and properly linked in the format for PQR. In case BHEL requires any other documents/proofs, these shall be submitted immediately.
23. The bidder may have to produce original document for verification if so decided by BHEL.
24. The offers of the bidders who are on the banned list as also the offer of the bidders, who engage the services of the banned firms, shall be rejected. The list of banned firms is available on BHEL Website (www.bhel.com).

I) Integrity commitment, performance of the contract and punitive action thereof:

Signature of Bidder



a) Commitment by BHEL:

BHEL commits to take all measures necessary to prevent corruption in connection with the tender process and execution of the contract. BHEL will during the tender process treat all Bidder(s) in a transparent and fair manner, and with equity.

b) Commitment by Bidder/ Supplier/ Contractor:

b.i) The bidder/ supplier/ contractor commit to take all measures to prevent corruption and will not directly or indirectly influence any decision or benefit which he is not legally entitled to nor will act or omit in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India.

b.ii) The bidder/ supplier/ contractor will, when presenting his bid, disclose any and all payments he has made, and is committed to or intends to make to agents, brokers or any other intermediaries in connection with the award of the contract and shall adhere to relevant guidelines issued from time to time by Govt. of India/ BHEL.

b.iii) The bidder/ supplier/ contractor will perform/ execute the contract as per the contract terms & conditions and will not default without any reasonable cause, which causes loss of business/ money/ reputation, to BHEL.

If any bidder/ supplier/ contractor during pre-tendering/ tendering/ post tendering/ award/ execution/ post- execution stage includes in mal-practices, cheating, bribery, fraud or and other misconduct or formation of cartel so as to influence the bidding process or influence the price or acts or omits in any manner which tantamount to an offence punishable under any provision of the Indian Penal code, 1860 or any other law in force in India, then, action may be taken against such bidder/ supplier/ contractor as per extant guidelines of the company available on www.bhel.com and/ or under applicable legal provisions.

25. It may please be noted that Guidelines/Rules in respect of Suspension of business dealings (Hold- 12 to 24 Months/ Banning – 3 years etc.), Vendor Evaluation formats, quality, safety and HSE guidelines, standard, T&P hire charges of BHEL etc may undergo change from time to time and the latest one shall be followed. Latest “Guidelines for Vendor Evaluation” is web based, quality, safety & HSE”; standard T&P hire charges shall be available at site and shall be given to the successful vendors/ subcontractors during execution.

26. MSME suppliers can avail the intended benefits in respect of the procurements related to the Goods and Services only (Definition of Goods and Services as enumerated by Govt. of India vide Office Memorandum F. No. 21(8)/2011-MA dtd. 09/11/2016 office of AS & DC, MSME) if they submit along with the offer, attested copies of either EM II certificate having deemed validity (five years from the date of issue of acknowledgement in EM II) or valid NSIC certificate or Udyog Aadhar Memorandum (UAM) & Acknowledgement or EM II certificate along with attested copy of a CA certificate (Format enclosed at Annexure – C where deemed validity of EM II certificate of five years has expired) applicable for the relevant financial year (latest audited). Date to be reckoned for determining the deemed validity will be the date of bid opening (Part 1 in case of two part bid). Non submission of such documents will lead to consideration of their bid at par with other bidders. No benefit shall be applicable for this enquiry if any deficiency in the above required documents are not submitted before price bid opening. Documents should be notarized or attested by a Gazette officer.

Signature of Bidder



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Any Bidder falling under MSME category, shall furnish the following details & submit documentary evidence/Govt. Certificate etc. in support of the same along with their techno-commercial offer: -

Type under MSME	SC/ST owned	Others
Micro		
Small		
Medium		

Note: - If the bidder does not furnish the above, offer shall be processed construing that the bidder is not falling under MSME category.

27. The bidder along with its associates/collaborators/sub-contractors/sub-vendors/consultants/service providers shall strictly adhere to BHEL Fraud Prevention Policy displayed on BHEL website www.bhel.com and shall immediately bring to the notice of BHEL Management about any fraud or suspected fraud as soon as it comes to their notice.
28. Annexure-6 - Terms & conditions of Reverse Auction is enclosed herewith. (Refer Misc. Section)
29. Annexure-8 – Specific Clause w.r.t. BOCW Act & Cess Act is enclosed herewith. (Refer Misc. Section)
30. Annexure-9- Statewide GST Registration nos. is enclosed herewith. (Refer Misc. Section)
31. Duly filled & signed Annexure- CPP-GST/I to be submitted by bidders along with their techno-commercial offer. (Refer Misc. Section)

32. Integrity Pact (IP) –

Integrity Pact – Independent external monitor (IEM):- With a view to maintain transparency, Integrity Pact (IP) has to be signed by all bidders.

- a) 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) on the present panel have been appointed by BHEL with the approval of CVC to oversee implementation of IP in BHEL.

Sl. No.	IEM	Address	Phone & Email
01	Shri Arun Chandra Verma, IPS (Retd.)	# C1/91, Moti Bagh, Shanti Path, New Delhi-11021	acverma1@gmail.com
02	Sh. Virendra Bahadur Singh, IPS (Retd.)	H. No. B-5/64, Vineet Khand, Gomati Nagar, Lucknow - 226010	vbsinghips@gmail.com

- b) The IP as enclosed with this tender is to be submitted (duly signed by authorized signatory who signs in the offer) along with techno-commercial bid. Only those bidders who have

Signature of Bidder



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entered into such an IP with BHEL would be competent to participate in the bidding. In other words, entering into this Pact would be preliminary qualification.

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

Note :

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's officials whose contact details are provided below :

1.
Name : Ajay Kumar
Deptt: QIX
Address: 1/9, C-2/B Sector.
Govindpura,BHEL, Bhopal.
Email : ajaykumar1@bhel.in
Fax : 0755 2503883

2.
Name : Yogendra Raghuvanshi
Deptt: QIX
Address: 1/9, C-2/B Sector.
Govindpura,BHEL, Bhopal.
Email : yogendra1@bhel.in
Fax : 0755 2502672

33. It may please be noted that Bid should be free from correction, overwriting, using corrective fluid, etc. Any interlineation, cutting, erasure or overwriting shall be valid only if they are attested under full signature(s) of person(s) signing the bid, else bid shall be liable for rejection.

All overwriting/ cutting, etc. will be numbered by bid opening officials and announced during bid opening.

Note: bidders are advised to submit only the relevant supporting documents meeting NIT conditions

34. For this procurement, Public Procurement (Preference to Make in India), Order 2017 dated 15.06.2017 & 28.05.2018 and subsequent Orders issued by the respective Nodal Ministry shall be applicable even if issued after issue of this NIT but before finalization of contract/ PO/ WO against this NIT. In the event of any Nodal Ministry prescribing higher or lower percentage of purchase preference and/ or local content in respect of this procurement, same shall be applicable.

35. **Order of Precedence:**

In the event of any ambiguity or conflict between the Tender Documents, the order of precedence shall be in the order below:

Signature of Bidder



BHARAT HEAVY ELECTRICALS LIMITED: BHOPAL
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- a. Amendments/Clarifications/Corrigenda/Errata etc issued in respect of the tender documents by BHEL
- b. NIT (Sections and Annexure-1)
- c. Price Bid- Volume III
- d. Special terms and condition (Technical) Section II
- e. General conditions of the contract (GCC) Section IV

FOR BHARAT HEAVY ELECTRICALS LTD

Agency	Contact details	
HEP BHOPAL	Address	PIPLANI, RAISEN ROAD PIN 462022
	Phone no	07552503883, 07552502672, 07552503294
	E-mail	Ajaykumar1@bhel.in, yogendra1@bhel.in, a_shukla@bhel.in

Enclosure (Refer misc. section)

01. Annexure-1: Pre-Qualification Criteria. (attached with sections of NIT)
02. Annexure-2: Format for No Deviation Certificate.
03. Annexure-3: Format for seeking clarification.
04. Annexure-4: Check List.
05. Annexure-5- Amendment to GCC.
06. Annexure -6- Terms & conditions of Reverse Auction.
07. Annexure -7- CA certificate Format.
08. Annexure-8 – Specific Clause w.r.t. BOCW Act & Cess Act.
10. Annexure– CPP-GST/I.
11. Annexure-9- Statewise GST Registration nos.
12. Annexure-10- Integrity pact
13. Other Tender documents as per this NIT.

BIDDER WITH SEAL

Signature of Bidder