

# SPECIAL CONDITIONS OF CONTRACT

VOL – 1B

Rev 1.0



**BHARAT HEAVY ELECTRICALS LIMITED**  
PROJECT ENGINEERING & SYSTEMS DIVISION (PE&SD)  
RAMACHANDRAPURAM, HYDERABAD

These conditions shall be read in conjunction with other NIT Documents. In case of any conflict or inconsistency, the order of precedence mentioned in the GCC shall be followed.

1	ENQUIRY/ NIT NO.	T7J1W49542
2	TENDER TYPE	Open (Global)
3	DIVISIBLE CONTRACT	<del>Yes/ No</del>
4	TENDER DESCRIPTION	GYPSUM DEWATERING EQUIPMENT (Sub-Assembly of FGD Package) for 03 FGD Projects (Kothagudem FGD, Bhadradi FGD & Yadadri Projects)
5	PURCHASER	PE&SD, BHEL Hyderabad
6	PROJECT NAME	Package-1: GYPSUM DEWATERING EQUIPMENT for 1X800 MW Kothagudem FGD Package-2: GYPSUM DEWATERING EQUIPMENT for 4X270 MW Bhadradi FGD Package-3: GYPSUM DEWATERING EQUIPMENT for 5X800 MW Yadadri FGD Project
7	CUSTOMER	TSGENCO
8	LOCATION OF THE PLANT	Telangana
9	CONSIGNEE ADDRESS/BHEL SITE OFFICE ADDRESS	To be informed later
10	GUARANTEE PERIOD	As per Clause no. 17.0.0 of Technical Specifications, warranty/Defect Liability Period shall be thirty six (36) months from the date of delivery or twenty four (24) months from the date of commissioning, whichever first occurs.
11	INTEGRITY PACT	Applicable/ <del>Not Applicable</del>
12	TENDERING MODE	EPS/ <del>Conventional</del>
13	REVERSE AUCTION	Applicable "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."
14	CONTRACT PERFORMANCE BANK GUARANTEE	Applicable Five percent (5%) of Supply Order value (Terms & Conditions as per clause no. 9.1 of GCC Rev. 01)
15	PERFORMANCE BANK GUARANTEE	Applicable Five percent (5%) of Supply Order value (Terms & Conditions as per clause no. 9.2 of GCC Rev. 01)
16	TRANSIT INSURANCE SCOPE	<del>Supplier/ BHEL/ Customer</del>
17	FREIGHT (UP TO SITE) SCOPE	Supplier scope for Indian bidder; C&F Chennai Port basis for Foreign bidder
18	EVALUATION CRITERIA	Package-wise evaluation considering below: a) Package-1: GYPSUM DEWATERING EQUIPMENT for 1X800 MW Kothagudem FGD b) Package-2: GYPSUM DEWATERING EQUIPMENT for 4X270 MW Bhadradi FGD c) Package-3: GYPSUM DEWATERING EQUIPMENT for 5X800 MW Yadadri FGD Project  <u>For each of the above projects, bidders to quote separate lump sum prices in NIC price bid format (Single excel file with 03 sheets namely BoQ1, BoQ2 and BoQ3 for each of the above packages)</u>



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19	DELIVERY PERIOD	<p><b>Supply:</b> 11 months from date of PO up to material receipt at project site.</p> <p><b>Supervision of E&amp;C, PG Test &amp; Training at Site:</b> Vendor shall depute their service engineer at project site within 21 days of intimation from BHEL.</p>
19A	Delivery Terms	Terms of delivery shall be Ex-Works including freight up to destination for indigenous bidders and C&F Chennai for Foreign bidders
20	PROCUREMENT CATEGORY	Main Supply, Mandatory Spares, Supervision of E&C, PG Test and Training at Site
20A	PO LACEMENT	<p>Following shall be issued project-wise:</p> <ul style="list-style-type: none"> <li>a) PO for main supply</li> <li>b) PO for mandatory spares</li> <li>c) LOI for Supervision of E&amp;C (Work order shall be later issued by BHEL Power Sector Region)</li> </ul>
21	PAYMENT TERMS	<p><b>SUPPLY:</b></p> <p>Same shall be as per GCC Rev. 01 (clause no. 6.1.1 &amp; 6.1.3 of GCC Rev. 01 for Indigenous bidders and Foreign bidders respectively) except the following changes-</p> <p>i) Final Ten percent (10%) of the total price of Purchase Order shall be released only after successful completion of performance Guarantee (PG)/ Demonstration Test and handing over of the system to customer/BHEL, as per the contract. This is in addition to the other conditions mentioned at clause no. 6.1.1 &amp; 6.1.3 of GCC.</p> <p>ii) If the Performance Guarantee (PG)/ Demonstration Test and handing over of the system is not conducted up to 24 months from supply completion for reasons not attributable to the vendor, then last 10% amount will be released on submission of Bank Guarantee of an equivalent amount, valid till completion of the contractual obligation.</p> <p><b>PAYMENT OF GST:</b> As per clause no. 6.5 of GCC Rev. 01</p> <p><b>PAYMENT FOR SUPERVISION OF E&amp;C, PG TEST, TRAINING AT SITE:</b> As per clause no. 6.4 of GCC Rev. 01</p> <p><b>RELEASE OF PAYMENT:</b> Same shall be as per clause no. 6.6.1 of GCC Rev. 01. However, for foreign vendors, LC payment shall be applicable only for the first payment i.e. 80% amount. LC usance period shall be 90 days.</p>
22	LIQUIDATED DAMAGES	As per clause no. 10 of GCC Rev. 01 (PO-wise)
22.A	LIQUIDATED DAMAGES FOR POWER CONSUMPTION	<p>This shall be over and above the Liquidated Damage already defined in GCC/SCC and shall be as per clause no. 13.0.0 (II) of Technical Specifications.</p> <p>(Bidders to refer respective Technical Specification for each project)</p>
23	PVC	<p>Applicable/ Not Applicable</p> <p><i>(If applicable, refer PVC Formula)</i></p>
24	STORAGE AT SITE	<del>Supplier/</del> BHEL/ <del>Customer</del>
25	PORT OF DISPATCH (IN CASE OF FOREIGN VENDOR)	Chennai Seaport
26	INSPECTION AGENCY	<p><del>Supplier/</del> BHEL (including TPIA)/ Customer (including TPIA)</p> <p>In case the systems are being supplied from outside India, reputed Third Party Inspection like Llyods or equivalent has to be considered and the charges should be included in the Main offer.</p>
27	PACKING, IDENTIFICATION & MARKING	As per GCC and Technical Specification
28	END-CUSTOMER'S APPROVAL OF VENDOR	<p><b>Required</b></p> <p>Offers of Techno-commercially qualified bidders will be considered for Price Bid Opening/ Reverse Auction subject to approval of the bidder by</p>



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		<p>the end customer. Therefore, bidders must submit their credentials along with the techno-commercial offers to enable BHEL to take up with end customer for approval of the bidder.</p> <p>The credentials to be submitted by bidders with techno-commercial include all necessary credentials (such as company profile, previous supply, project details &amp; end user certificate for satisfactory performance etc.,)</p> <p>The above list of credentials is not exhaustive. If BHEL asks for any other details or documents during the process of obtaining approval from end customer, bidders shall also submit the same.</p>
29	SPECIAL NOTES (IF ANY)	NA
30	CLAUSES OF GCC NOT APPLICABLE / TO BE READ AS / MODIFIED TO	'Warranty' in GCTC of GCC Clause no. 16.0 and its sub-clauses, to be read as 'Guarantee'.
31	BHEL'S SERVICE PROVIDER FOR ENTERPRISE PROCUREMENT SYSTEM (EPS)	<p>Bharat Heavy Electricals Limited eProcurement Portal (Ministry of Heavy Industries and Public Enterprises, Government of India)</p> <p>Technical Help Desk Number: 0120-4001 002 / 0120-4001 005 / 0120-6277 787 International bidders are requested to prefix 91 as country code</p> <p>Technical - support EMAIL: eproc@nic.in</p>
32	CONTACT PERSON FOR SUPPLIER REGISTRATION	<p>Name: Hari Prasad Gupta Designation: Sr. Engineer Supplier Development Cell-PE&amp;SD PE&amp;SD Building-Ground Floor BHEL, RC Puram, Hyderabad-502032 Ph No: 040-2318 2392 Email Id: harigupta @bhel.in</p>
33	PURCHASE OFFICER	<p>Name: Shashank Mishra Designation: Dy. Manager Purchase Department, PE&amp;SD Building Ground Floor, BHEL, RC Puram Hyderabad-502032 Ph No: 040- 2318 2367 Email Id: shashankmishra@bhel.in</p>

**NOTES**

A	Details required for dispatch will be provided in Dispatch Instructions issued along with Dispatch Clearance after completion of inspection.
B	In case of Open Tender / Limited Tender where BHEL's customer approval is required at the final stage of order placement, bidder must provide all required documentation like credentials, past track record, etc. Bidder's offer will be evaluated for price, only on final approval by BHEL's customer. <i>Refer Sl. No. 28 to identify whether End-Customer's approval of Supplier is required.</i>
C	In case of Limited Tender, bidder has to get registered with PE&SD, BHEL, Hyderabad for the category of item enquired, in case he is not registered as on date. Otherwise his offer is liable for rejection. <i>Refer Sl. No. 32 for Contact Person for Supplier Registration.</i>
D	Evaluation shall be based on delivered cost, i.e. "total cost to BHEL" w.r.t the finalized technical scope and commercial conditions (after considering incidence of applicable taxes and duties and loading). For evaluation, exchange rate (TT selling rate of State Bank of India) as on the date of bid opening (Part-I, in case of two-part bids) shall be considered. If the relevant day happens to be a bank holiday, then the forex rate as on the previous bank (SBI) working day shall be taken.