



SPECIAL TERMS AND CONDITIONS

Tender Enquiry No. 2223-061E Dated 17.11.2022 **Due date 03.12.2022**
Tender Description: Design, Manufacture, Supply and Supervision of Installation, Erection & Commissioning of 3 Panels- 11kV Indoor Metalclad Vacuum Circuit Breaker HT Switchgear

Tender Enquiry No.	2223-061E
Enquiry Date	17.11.2022
Tender Download / Bid Submission Start Date	17.11.2022 (17:00 Hrs. IST)
Tender Download / Bid Submission End Date	03.12.2022 (12:00 Hrs. IST)
Tender / Bid Opening Date	03.12.2022 (15:30 Hrs. IST)
Quotation Parts	Three-part Bid
Tender Evaluation	Package basis
Bid Validity	90 Days from Techno-commercial bid opening
Item Description	Design, Manufacture, Supply and Supervision of Installation, Erection & Commissioning of 3 Panels- 11kV Indoor Metalclad Vacuum Circuit Breaker HT Switchgear
Item Specification	As per enclosed Annexure-A
Quality Plan	As per enclosed Annexure-B

Documents required along with supply of material	
1. Test Certificate	<u>Required</u>
2. Guarantee certificate	<u>Required</u>

S1. EARNEST MONEY DEPOSIT (EMD)

Bidders to deposit EMD – ₹ 60,000/-. EMD shall be accepted in following forms:

EMD is to be submitted by Demand Draft or through e-payment (as per the details given below). DD shall be in favor of “Bharat Heavy Electricals Limited, Goindwal” payable at Goindwal Sahib, Dist. Tarn Taran (PB). BHEL Bank Details are given below:

Bank Name	PUNJAB NATIONAL BANK
BRANCH	GOINDWAL SAHIB
A/C NO	1932009300002270
IFSC CODE	PUNB0193200

Pls note that after e-transfer (EMD amount), remittance copy (scanned version) to be uploaded on NIC portal.

Bidders submitting EMD by Demand Draft are required to upload scanned version on NIC portal. Original copy of Demand draft to be delivered to following address through post / courier / by hand:

Mr. Achin Goyal / Sr. Engineer - MM
BHEL, 433, Industrial complex,
Industrial Valves Plant, BHEL,
Goindwal Sahib, Distt. Tarn Taran, Punjab- 143422.



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EMD given by all unsuccessful tenderers shall be refunded on acceptance of award / LOI / PO by successful tenderer. The EMD of successful bidder shall be returned after submission of Bank Guarantee. EMD shall not carry any interest.

Following organization are not required to submit EMD. They are required to upload documentary evidence to claim exemption for EMD submission.

- a) Central/State – PSUs/ Government departments
- b) Micro and Small enterprises (Udyam Registration Certificate / UAM need to be submitted. Validity of document shall be considered as on date of Part I opening as per the latest available notification from Govt.). Only manufacturer MSE enterprises will be exempted for EMD submission.

S2. PRE-QUALIFICATION CRITERIA (PQC)

Bidder has to submit following documents to fulfil PQC:

1. Bidder shall be manufacturer of Vacuum type circuit breaker.
2. Bidder shall submit two nos. of PO copy with invoices as proof of supply of Vacuum type circuit breaker. POs submitted shall be within 5-year period from date of tender opening.

Start-ups shall be exempted from the above criteria of Purchase order/s submission without any relaxation in quality standards or technical parameters as per D.O. No. 5(4)/2016-BE-I dated 15.02.2017. For claiming Start-Up exemption, vendors have to submit DPIIT (Dept. of Promotion of Industry and Internal Trade)/DIPP (Department for Industrial Policy and Promotion) recognition certificates.

S3. SCOPE OF SUPPLY

In addition to the clause no. 2 in “General Contract Conditions of tender”, Design, Manufacture, Supply and Supervision of Installation, Erection & Commissioning of 3 Panels- 11kV Indoor Metalclad Vacuum Circuit Breaker HT Switchgear to be supplied as per specifications mentioned in ‘Annexure-A’.

(Minimum 50% and 20% Local Content required for qualifying as Class-I and Class-II Local Supplier respectively)

S4. QUOTATION SUBMISSION

PART-I (EMD): Part-I should contain *EMD (if applicable)* as mentioned in EMD clause S1. Only after submission of EMD (if applicable), Part-II (techno-commercial bid) of participated bidders will be opened. Otherwise their offers will be rejected.

In case bidder is Central/State – PSUs/ Government departments or Micro and small enterprises, valid document needs to be submitted in Part-I.



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MSE bidders should submit Udyam Registration Certificate / UAM for availing applicable benefits for MSE vendors as per tender terms. Validity of document shall be considered as on date of Part I opening as per the latest available notification from Govt.

PART-II (TECHNO-COMMERCIAL BID): Part-II should contain *all the documents / confirmations as per following details:*

- a) Acceptance of Techno-Commercial terms and conditions shall be attached along with bid document. This can be attached either by signing each page of terms and conditions or a confirmation statement.

IF THE OFFER IS NOT ACCOMPANIED WITH ACCEPTANCE OF TERMS AND CONDITIONS, IT SHALL BE CONCLUDED THAT ALL THE TERMS AND CONDITIONS ARE ACCEPTABLE AND NO CLAIM WHATSOEVER SHALL BE ENTERTAINED LATER ON.

- b) Documents as per pre-qualification terms (as per clause no. S2).
c) Duly filled Annexure-A (Acceptance of TECHNICAL SPECIFICATIONS)
d) Duly filled Annexure-B (Acceptance of INSPECTION CRITERIA)
e) Duly filled Annexure-C (Declaration for RESTRICTIONS UNDER RULE 144(XI))
f) Annexure - D (MII Declaration content format).
g) Duly filled Part-II (Techno-commercial bid)

PART-III (PRICE BID): Part-III should be submitted as per format enclosed in tender. Anything other than prices mentioned in the price bid shall be considered invalid & in no case will be accepted.

S5. PRICE BASIS

- a. Unloading of material at Main Stores of BHEL shall be arranged by BHEL.
b. Quoted rates shall be firm during the currency of the contract.
c. In this tender enquiry, rate shall be invited for total package (Supply + Supervision of Installation, Erection and Commissioning). Further, bidder shall be required to furnish the break up (only percentage) of quoted price in techno commercial format
d. Rates shall be quoted on FOR GOINDWAL basis. Comparison shall be made on landed cost to BHEL Goindwal for deciding L1 offer. Evaluation shall be done for total package.

S6. DELIVERY SCHEDULE

Delivery period shall be as follows:

- a) Supply - Within 8 months from release of PO/LOI
b) Supervision of Installation, Erection and commissioning (to be collectively called as **E&C**) shall be completed within 20 days from date of intimation regarding site readiness by BHEL. Site readiness shall be intimated by BHEL within one-month from date of supply of VCB at BHEL works.



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The bidders should quote their best schedule for Supply and E&C against the schedule indicated in NIT. Bidders not accepting the delivery schedule as stated in NIT are liable for rejection.

S7. LIQUIDATED DAMAGES (LD):

Penalty on delay in 'Supply' and/or 'E&C' will be applicable to the delays attributed to vendor. Penalty will be considered separately for 'Supply' and 'E&C'

- a) The rate of penalty for delayed Supply shall be @ 0.5% per week of delay of total PO value (Supply + E&C) in supply subject to a maximum of 10% of total PO value (Supply + E&C).
- b) The rate of penalty for delayed E&C shall be @ 0.5% per week of delay of total PO value (Supply + E&C) in E&C subject to a maximum of 10% of total PO value (Supply + E&C).
- c) Maximum penalty for delay in Supply and E&C together shall be limited to 15% of total PO value (Supply + E&C).

In case any bidder is not accepting the above penalty for delayed Supply and/or E&C, the offer of bidder shall be loaded to the extent to which it is not agreed by the bidder.

In case, any shortage is noticed viz-a-viz PO requirement in the main equipment / spares, such shortages shall be replenished by supplier on FOR destination basis without any cost implication to BHEL i.e. Custom Duty and freight charges etc. up to destination for such short supplies shall be borne by the supplier.

For the purpose of penalty for delay E&C of the equipment the duration will be reckoned from the date of intimation by BHEL to vendor for site readiness.

S8. VALIDITY OF OFFERS

The offers shall be kept valid for 90 days from the actual date of techno-commercial bid opening.

S9. LOADING

100% loading shall be done on L1 vendor.

S10. REVERSE AUCTION

Reverse auction shall be conducted in this tender enquiry.

S11. PAYMENT TERMS

80% payment of Supply value shall be made within 45 days from the date of receipt of material at BHEL. Balance 20% of Supply value plus 100% of the E&C portion of PO value will be paid within 30 days of issue of E&C certificate by BHEL. Payment will be released only after submission Performance Security by the supplier.

If payment terms as mentioned above are not agreed by bidder, such bidder have to submit Bank Guarantee at the time of payment in the prescribed format of the amount, exceeding 80% of the PO value,



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valid till issue of E&C certificate for the equipment. However, in no case, payment against dispatch shall exceed 90% of the PO value.

Additionally, for any deviation sought including as mentioned above in Payment Terms by bidder w.r.t. tender conditions, following loading criteria will be followed:

Benchmark Prime Lending Rate (BPLR) of SBI as applicable on scheduled date of tender opening + 2%, for the amount & period of relaxation sought by bidder.

S12. WARRANTY PERIOD

12 months from date of commissioning of Vacuum Circuit Breaker.

S13. CONTRACT EXECUTION BANK GUARANTEE (CEBG) CUM PERFORMANCE BANK GUARANTEE (PBG):

The successful vendor shall have to furnish a bank guarantee for 10% of the total PO value in the prescribed format within 30 days from the date of purchase order. If the supplier fails to submit the bank guarantee even within 60 days from the date of PO, BHEL reserves the right to cancel PO & forfeit the EMD given by the supplier. In addition, in such case, action will be initiated in line with extant guidelines for Suspension of Business dealings with Suppliers.

Bank Guarantee (BG) shall be valid till the completion of warranty period i.e 1 year from the date of commissioning (with additional 6 months as claim period).

Bank guarantee shall be as per BHEL format and as per mode/bank described by BHEL. In case of non-acceptance of this clause by the bidder, his offer is likely to be rejected and the technical bid not processed. All bank charges in India and outside India will be to the supplier's account.

S14. VALUE FOR ERECTION & COMMISSIONING AT BHEL

Supervision of Installation, Erection & Commissioning (to be collectively called as E&C) value will include services to be rendered at BHEL like erection, commissioning, job proving, training to operators, supervising foundation work etc. (to be together called as **E&C**). **E&C is in the scope of supplier.**

Cost of E&C should be minimum – 4.33% of total value

Only in case where quoted value is less than the minimum value indicated below or separate E&C values are not mentioned in the offer, value for E&C portion shall be deemed to be considered as the above minimum value accordingly supply value will be adjusted from that quoted value and the balance will be released as E&C payment. The bidder, however, can choose to quote the E&C value higher than the above-mentioned minimum E&C value (%).



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S15. OTHER CONDITIONS

1. Pre-dispatch inspection (PDI) to be carried out by the BHEL personnel at the vendor works. Vendor has to inform BHEL for inspection to get clearance for dispatch. The criteria for clearance at the time of PDI has been detailed as per Annexure-B, parameter-wise. However final acceptance of the sets shall be based on equipment prove out at our works.

These Special terms & conditions and GCC collectively are the part of tender terms and conditions. Any term in special tender terms and conditions will supersede the GCC.