



Bharat Heavy Electricals Limited

(A Govt. Of India Undertaking)

Power Sector, Eastern Region

BHEL BHAWAN, PLOT NO. DJ-9/1, SECOTR II,
SALT LAKE CITY, KOLKATA, WEST BENGAL, INDIA

Phone : 033-23398220,033-23211690 FAX : 033-23211960

Sub	TENDER CHANGE NOTICE (TCN-01 DTD. 03/09/2020)
Job	"OVERHAULING OF LP TURBINE, GENERATOR AND AUXILIARY WORKS AT UNIT-6, 250 MW (KWU DESIGN), SANTALDIH TPS, WBPDCL, WEST BENGAL".
Ref	TENDER NO.: PSER:PUR:SND-S410:20 (ENQ:20:PP:0015:PUR:27) Date 01/09/2020.

With reference to above, following points/documents, relevant to tender, may please be noted and complied with while submitting the offer.

- 1) Clause No. 30 is being incorporated in NIT, details as per attached Annexure-C.
- 2) 'No deviation certificate' is attached. Bidder to submit their offer along with stamped & signed copy of this TCN & 'No deviation certificate' as per attached format only.
- 3) All other terms & conditions shall remain unchanged.

Thanking you,

Yours faithfully,
for BHARAT HEAVY ELECTRICALS LTD

DY. MANAGER (PURCHASE)

(Signature, date & seal of authorized representative of the contractor)

ANNEXURE - IV

FORMAT FOR NO DEVIATION CERTIFICATE
(To be submitted in the bidder's letter head)

To,
Bharat Heavy Electricals Limited,
Power Sector – Eastern Region
2nd FLOOR, Block-DJ, Plot-9/1, Sector – II,
Salt Lake City, Kolkata – 700 091
FAX – 033-2321-1960

Job: “OVERHAULING OF LP TURBINE, GENERATOR AND AUXILIARY WORKS AT UNIT-6, 250 MW (KWU DESIGN), SANTALDIH TPS, WBPDCL, WEST BENGAL”.

Tender No.: PSER:PUR:SND-S410:20 (ENQ:20:PP:0015:PUR:27) Date 01/09/2020, TCN-01 dtd. 03/09/2020.

Dear Sir/Madam,

With reference to above, this is to confirm that as per tender conditions, we have visited site before submission of our offer and noted the job content & site conditions etc. We also confirm that we have not changed/modified the tender documents as appeared in the websites and in case of observance at any stage, it shall be treated as null and void.

We hereby confirm that we have not taken any deviation from tender clauses together with other references as enumerated in the above referred NIT and *confirm our acceptance to reverse auctioning process* and we hereby convey our unqualified acceptance to all terms and conditions as stipulated in the tender and NIT.

In the event of observance of any deviation in any part of our offer at a later date whether implicit or explicit, the deviations shall stand null & void.

We confirm to have submitted offer strictly in accordance with tender instructions.

Thanking you,

Yours faithfully,

(Signature, date & seal of authorized representative of the bidder)

ANNEXURE – C

Clause No. 30 of NIT:

In-line with Department of Expenditure's (DoE) Public Procurement Division Order vide ref. F.No.6/18/2019-PPD dated 23.07.2020

- I. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.
- II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms, or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.
- III. "Bidder from a country which shares a land border with India" for the purpose of this order means: -
 - a. An entity incorporated, established or registered in such a country; or
 - b. A subsidiary of an entity incorporated, established or registered in such a country; or
 - c. An entity substantially controlled through entities incorporated, established or registered in such a country; or
 - d. An entity whose beneficial owner is situated in such a country; or
 - e. An Indian (or other) agent of such an entity; or
 - f. A natural person who is a citizen of such a country; or
 - g. A consortium or joint venture where any member of the consortium or joint venture falls under any of the above
- IV. The beneficial owner for the purpose of (iii) above will be as under:
 1. In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership interest or who exercises control through other means.
Explanation-
 - a. "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
 - b. "Control" shall include the right to appoint the majority of the directors or to control the management of policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements;
 2. In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together, or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
 3. In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of individuals;
 4. Where no natural person is identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who hold the position of senior managing official;
 5. In case of a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.
- V. An agent is a person employed to do any act for another, or to represent another in dealings with third person.
- VI. The successful bidder shall not be allowed to sub-contract works to any contractor from a country which shares a land border with India unless such contractor is registered with the Competent Authority.

Duly filled & signed Form-2 & Form-3, to be submitted by bidders along with their techno-commercial offer.

FORM – 2

(To be submitted in the bidder's letter head)

In-line with Department of Expenditure's (DoE) Public Procurement Division Order vide ref. F.No.6/18/2019-PPD dated 23.07.2020

Tender No.: PSER:PUR:SND-S410:20 (ENQ:20:PP:0015:PUR:27) Date 01/09/2020, TCN-01 dtd. 03/09/2020.

Job: "OVERHAULING OF LP TURBINE, GENERATOR AND AUXILIARY WORKS AT UNIT-6, 250 MW (KWU DESIGN), SANTALDIH TPS, WBPDCL, WEST BENGAL".

"I have read the tender clause regarding restrictions on procurement from a bidder of a country which shares a land border with India; I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached]".

For and behalf of _____ (Name of Firm/ entity)

Authorized signatory (To be duly authorized by the Board of Directors)
<Insert Name, Designation, and Contact No and date>

Signature & seal of Authorized signatory (To be duly authorized by the Board of Directors)

FORM – 3

(To be submitted in the bidder's letter head)

In-line with Department of Expenditure's (DoE) Public Procurement Division Order vide ref. F.No.6/18/2019-PPD dated 23.07.2020

Tender No.: PSER:PUR:SND-S410:20 (ENQ:20:PP:0015:PUR:27) Date 01/09/2020, TCN-01 dtd. 03/09/2020.

Job: "OVERHAULING OF LP TURBINE, GENERATOR AND AUXILIARY WORKS AT UNIT-6, 250 MW (KWU DESIGN), SANTALDIH TPS, WBPDCL, WEST BENGAL".

"I have read the tender clause regarding restrictions on procurement from a bidder of a country which shares a land border with India and on sub-contracting to contractors from such countries; I certify that this bidder is not from such a country or, if from such a country, has been registered with the Competent Authority and will not sub-contract any work to contractor from such countries unless such contractor is registered with the Competent Authority. I hereby certify that this bidder fulfills all requirements in this regard and is eligible to be considered. [Where applicable, evidence of valid registration by the Competent Authority shall be attached.]"

For and behalf of _____ (Name of Firm/ entity)

Authorized signatory (To be duly authorized by the Board of Directors)
<Insert Name, Designation, and Contact No and date>

Signature & seal of Authorized signatory (To be duly authorized by the Board of Directors)