



**ANNEXURE-A (For Foreign Vendors)**

**Note:** This Annexure has to be mandatorily filled & signed by the manufacturer(or) mill and submitted along with Technical Bid.

**Any deviation to the below mentioned terms shall be stated specifically in the comments column for each term and also in case of acceptance to our terms, it will be construed that the whole term is understood and agreed in totality without any deviation (if otherwise mentioned).**

**ACCEPTANCE OF TECHNO - COMMERCIAL TERMS AND CONDITIONS BY THE BIDDERS**

| <b>Description of the Equipment:</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>ACOUSTIC PYROMETER AND SPARES</b> |
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| <b>BHEL Tender No. &amp; Date</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1701900499 dt 01.04.2019             |
| <b>SI No.</b>                        | <b>Terms and conditions</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Vendor's confirmation</b>         |
| 1                                    | <b>Technical :</b><br>This requirement is for New Neyveli (0683, 0684) project.<br><br>Supply of Field Mounted <b>Acoustic Pyrometer</b> as per <b>Specification CI:0683:AP:NLC</b><br><br>The vendor shall submit the Quality Plan<br>Packing Procedure: QA:CI:STD:PR:04/ REV 03                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      |
| 2                                    | <b>Firm Price:</b><br>The quoted / finalised rates shall be Firm till execution of the supplies.<br>Offer with PVC clause will not be considered.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      |
| 3                                    | The quotes shall be on <b>FOB/Nearest GATEWAY Airport</b> basis.<br><b>(Schedule-F is attached)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                      |
| 4(a)                                 | <b><u>Payment Terms:</u></b><br><br>The payment for items supplied will be processed by BHEL only after proving the system at site and on acceptance of the system by M/s NLC. In case of dissatisfaction, the bills for the system for will not be processed for payment. In case of failure of the system, vendor will reimburse the customs duty (if applicable) paid by BHEL while importing the item.<br><b><u>General payment Term:</u></b><br><br>15.1) 85% of the basic value (excluding E&C charges) will be paid on CAD Basis after 60 days from the date of receipt of complete set of documents, at BHEL Bank.<br><br>15.2) 15% of basic value (retention money), (excluding E&C charges) will be paid with 15 days credit from the date of completion of E&C along with E&C charges against supplementary invoice with proof of completion of E&C.<br><br>All bank charges outside India to beneficiary's account.<br><br>Income Tax on E&C is to vendor's account. Hence, all the required documents will be furnished to BHEL by vendor. Income Tax on E&C will not be paid to vendor by BHEL. The quoted lump sum charges for E&C is inclusive of To & Fro Fare, Boarding, Lodging, Local Conveyance, etc. |                                      |
| 4(b)                                 | <b><u>Deviation in Payment Terms:</u></b><br>Any deviation in the above Payment Terms, any other conditions in payment terms or any other payment term will not be accepted and offers will not be considered.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                      |
| 5(a)                                 | <b><u>Liquidated damages:</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      |

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|       | <p>Delivery of the goods specified in the purchase order should be made within the time prescribed. Failure to dispatch the materials in time as per the delivery quoted in our Purchase Order would make the supplier liable to an un-conditional LD at the rate of ½% of the total order value per week or part thereof subject to maximum of 10% of the total Order value.</p> <p>For staggered delivery schedule, LD shall be 0.5% of the undelivered portion per week of the delay or part thereof, subject to a maximum of 10% of the total order value.</p> |  |
| 5 (b) | <p><b>Loading Criteria</b></p> <p><b>LD / Penalty:</b> Any deviation of the above LD/Penalty clause, loading will be applied to the extent to which it is not agreed by the bidder (at offered value).</p>                                                                                                                                                                                                                                                                                                                                                         |  |
| 6 (a) | <p><b>Guarantee / Warranty Period</b> Guarantee clause 18 months from the date of supply or 12 months from the date of actual put in use, whichever is earlier.</p>                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 6 (b) | <p><b>Loading Criteria</b></p> <p><b>Guarantee / Warranty Period:</b> No Deviation is permitted. If still vendor offered any deviation on the Guarantee / warranty period, it may lead to rejection of offer.</p>                                                                                                                                                                                                                                                                                                                                                  |  |
| 7(a)  | <p><b>Performance Bank guarantee: 10% of material value as PBG shall be offered.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| 7(b)  | <p><b>Loading Criteria</b></p> <p><b>Performance Bank guarantee:</b> No Deviation is permitted and the deviated offers are liable for rejection.</p>                                                                                                                                                                                                                                                                                                                                                                                                               |  |
| 8     | <p><b>Taxes &amp; Duties:</b></p> <p>All Taxes, Duties, Service Taxes etc. payable as extra to the quoted Price should be specifically stated in offers, failing which the purchaser will not be liable for payment of such Taxes and Duties.</p>                                                                                                                                                                                                                                                                                                                  |  |
| 9     | <p><b>Risk purchase:</b></p> <p>If the supplier fails to deliver the goods within the delivery specified in the Purchase Order, BHEL will be entitled to terminate the contract and to Purchase elsewhere at the risk and cost of the seller either the whole of the goods or any part which the supplier has failed to deliver or despatch within the delivery period mentioned in the Purchase Order.</p>                                                                                                                                                        |  |
| 10    | <p><b>DELIVERY PERIOD:</b></p> <p>Our delivery term shall be 16 weeks from the date of Document approval</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| 11    | <p><b>Validity:</b></p> <p>120 days from Technical Bid opening.</p> <p>Non-compliance of the same will result in offer being liable for rejection</p>                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| 12    | <p><b>GENERAL CONDITION:</b></p> <p>Kindly submit the 'no deviation format' with clear indication of Specification ref, Quality plan and Packing Procedure.</p>                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| 13    | <p><b>Reverse Auction:</b></p> <p>Reverse Auction is not applicable for this tender.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| 14    | <p>BHEL will consider the ranking after the loading is applied as referred above wherever deviations are observed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| 15    | <p><b>DOCUMENT SUBMISSION</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |

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|                     | In case of PO, documents (drawings, data sheets and quality plan in triplicate) shall be submitted within 15 days from the date of receipt of PO and the revised documents shall be submitted within 1 week from the date of receipt of engineering / quality comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                        |                     |                            |                 |                            |  |
| 16                  | <b>QUANTITY OF TENDERED QTY</b><br>BHEL reserves the right to increase or decrease the tendered quantity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                  |                        |                     |                            |                 |                            |  |
| 17                  | <b>PRE QUALIFICATION REQUIREMENT</b><br>a) The offered system shall be of proven design and shall be in successful operation for a period of 1 year in any utility boiler..<br><br>b) Vendor to provide performance certificates / authentication letters in favour of OEM from any end user certifying the same<br><br>c) Vendor to arrange for a site visit for a BHEL Engineer anywhere in india where it has erected / commissioned a similar system.<br><br><b>The above pre-qualification requirement is mandatory for technical offer evaluation. Pre-Qualification requirement shall be furnished by the vendor during offer submission. Offers qualifying on the above requirement will only be considered for further processing.</b> |                  |                        |                     |                            |                 |                            |  |
| 18                  | <b>Erection and Commissioning Support Charges:</b><br><br>Lump sum charges of Erection and Commissioning support with exact Man days for the system, To & Fro charges, Boarding and Lodging should be quoted in the field provided in Price Bid Form in EPS.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                  |                        |                     |                            |                 |                            |  |
| 19                  | <b>Weight of the Components:</b><br>a) Component Net Weight<br><br>b) Component weight with Packing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                        |                     |                            |                 |                            |  |
| 20                  | <b>Fraud prevention policy</b><br>The bidder along with its associate / collaborators / sub-contractors / sub-vendors / consultants / service providers shall strictly adhere to BHEL fraud prevention policy displayed on BHEL website <a href="http://www.bhel.com">http://www.bhel.com</a> and shall immediately bring to the notice of BHEL management about any fraud or suspected fraud as soon as it comes to their notice                                                                                                                                                                                                                                                                                                               |                  |                        |                     |                            |                 |                            |  |
| 21                  | <b>Cost Evalutation:</b><br>Evaluation shall be on the basis of delivered cost (i.e “total cost to BHEL”).<br>For evaluation, the exchange rate (TT Selling rate of SBI) shall be taken as under: <table border="1"><tr><td>Single part bids</td><td>Date of tender opening</td></tr><tr><td>Two/three part bids</td><td>Date of Part-1 Bid Opening</td></tr><tr><td>Reverse Auction</td><td>Date of Part-1 Bid Opening</td></tr></table><br>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.                                                                                                                                                                    | Single part bids | Date of tender opening | Two/three part bids | Date of Part-1 Bid Opening | Reverse Auction | Date of Part-1 Bid Opening |  |
| Single part bids    | Date of tender opening                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                  |                        |                     |                            |                 |                            |  |
| Two/three part bids | Date of Part-1 Bid Opening                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                        |                     |                            |                 |                            |  |
| Reverse Auction     | Date of Part-1 Bid Opening                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                  |                        |                     |                            |                 |                            |  |