

Terms & conditions for Enquiry no. E3703019, due on 09/01/2021.

Quotation to be submitted in two parts in separate sealed envelope super scribing

1. **“Part A” :-Technical and Commercial Bid enquiry No. E3703019, due on 09/01/2021**
2. **“Part B” :-Price Bid enquiry no. E3703019, due on 09/01/2021.**

BHEL Bhopal is looking for Micro & Small enterprises, as defined in Public Procurement Policy 2012, issued by Ministry of Micro, Small and Medium Enterprises capable of supplying **SWEATERS** for distribution to its Male & Female Employees as per Enquiry **E3703019**. **THIS MATERIAL IS TO BE PROCURED ONLY FROM MICRO & SMALL ENTERPRISES (MSE), AS DEFINED IN PUBLIC PROCUREMENT POLICY 2012, ISSUED BY MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES.**

Please refer General terms and conditions of enquiry form no. BP-200102 and P.O. terms & conditions (indigenous) form no. MM 5527, Rev.03. If any deviations, please mention in your quotation otherwise, it shall be taken that all terms and conditions are acceptable to you.

- 1) Enquiry is to be submitted in **Two Part bid** system in separate sealed envelopes super scribing enquiry no, due date and name of vendor. (Refer Annexure - III).
- 2) Part “A” shall contain all the technical and commercial details pertaining to your offer and item description exactly as per our tender enquiry. All details must be mentioned in this bid except for the prices. The envelope shall be clearly super scribed with enquiry no, due date, name of vendor and **“Part - A - Technical and commercial Bid”**.
- 3) Part “B” shall contain only the description of the item and their corresponding rates. The envelope shall be clearly super scribed with enquiry no, due date, name of vendor and **“Part B - Price Bid”**.
- 4) Suppliers are requested to quote in two parts for 2 bid enquiries. However, for quotation submitted in single bid against our requirement of two bids will be considered only if the bid is techno-commercially accepted without seeking any clarifications from the supplier. Otherwise, the bid is liable to be rejected.

5) **Price :-**

BHEL will pay maximum price of **Rs. 1860/- per Number** which will be inclusive of GST applicable, packing, forwarding, printing of mono / logo / slogan, plain carry bag, freight and delivery up to CRX, BHEL Bhopal.

6) **Pre-qualification criteria (PQC): Suppliers to confirm technical pre-qualification criteria and upload /submit required documents.**

A. Technical & Financial PQC:-

(i) Please refer the PQC & technical specification enclosed for details.

Note: PQC & technical specification is applicable to all suppliers.

Startups and Micro & Small Enterprises who are manufacturer of quoted item/items are exempted for above clauses 6 (i) only for submission of PO and proof of supply of prior experience along with proof of prior turnover.

Startup means an entity, incorporated or registered in India not prior to five years, with annual turnover not exceeding INR 25 crore in any preceding financial year, working towards innovation, development, deployment or commercialization of new products, processes or services driven by technology or intellectual property.

Provided that such entity is not formed by splitting up, or reconstruction, of a business already in existence.

Provided also that an entity shall cease to be a Startup if its turnover for the previous financial years has exceeded INR 25 crore or it has completed 5 years from the date of incorporation/ registration.

Bidders who have quoted as startups has to submit (1) Copy of incorporation / registration of their firm and (2) Audited (if audit is required as per norms) profit and loss account (Which shows annual turnover) of all financial year from date of incorporation / registration to 31st March 2020.

Supplier to submit documents for the above (Copy should be self-attested). In case of non-submission of above documents, offer shall not be considered for further procurement process.

7) **Performance Bank Guarantee:-**

Once PO/letter of intent (LOI) is placed, the supplier should submit a Bank Guarantee for **3% of the PO value, valid for 12 months from the date of invoice or receipt of material at BHEL Bhopal (whichever is later)** and issued on any BHEL consortium bank for faithful performance of PO.

8) Payment term:-

For MSE suppliers **who are manufacturer of quoted item/items**, payment can be released within 45 days after receipt and acceptance of material in BHEL.

Note:- MSE suppliers **who are manufacturer of quoted item/items** can avail the intended benefit only if they submit along with the offer, Udyog Aadhaar Memorandum or 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 EM II certificate along with attested copy of a CA certificate (where deemed validity of EM II certificate of five years has expired) as per BHEL format (Format will be provided on request or can be downloaded from the link of www.bhelbpl.co.in/mm/MSME_Annl_cert2.pdf) applicable for the relevant financial year (Latest audited). Date to be reckoned for determining the deemed validity will be the tender opening date / enquiry due date. 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 deficiencies in above required documents are not submitted before price bid opening. If the tender is to be submitted through e-procurement portal, then the above required documents are to be uploaded on the portal. Documents should be notarized or attested by a Gazetted Officer.

Advance payment is not acceptable in any circumstances. Supplier's offer shall be loaded accordingly, if lower period of credit is offered. Also, Overdue interest (ODI) is not acceptable to BHEL.

If not mentioned or partially mentioned against payment terms in your quotation, it is assumed that BHEL standard payment terms is acceptable to supplier.

Note: - MSE suppliers **who are manufacturer of quoted item/items** can avail the intended benefit only if they submit Udyog Aadhaar Memorandum along with the offer.

9) Terms of Delivery:-

Terms of delivery should be **F O R Destination** on Door delivery basis at CRX, BHEL Bhopal. The same is mentioned in Part - A (Techno-commercial bid) of your offer otherwise it shall be taken FOR destination. Offers on **F O R Destination** on Door delivery basis at CRX, BHEL Bhopal will only be accepted, **if you quote Ex-Works, freight by BHEL or Ex-Works, freight prepaid your quotation will be commercially rejected.**

10) Lead time for delivery:-

Supplier to clearly indicate in his offer the time required (Lead-time) in number of weeks from the date of PO/LOI in order to complete the supplies. In case not mentioned by supplier in their offer, it shall be taken 45 days from the date of

PO/LOI. Any deviation to the commitment of delivery shall result in rejection of quotation.

11) Item type and HSN Code:-

Kindly mention HSN code of the item & the percentage (%) of GST applicable in your offer. CGST+SGST / IGST / UGST or any other charges as applicable must be clearly mentioned in your quotation otherwise it shall be taken as not applicable to supplier.

12) Validity of offer:-

Validity of offer must be clearly mentioned in your quotation. If not mentioned, it shall be as taken 90 days from the date of opening of tender.

13) Liquidated Damages / Penalty Clause:-

I. For any late delivery beyond the scheduled delivery date as per PO, penalty shall be 0.5% of the total order value per week of delay or part thereof, subject a maximum of 10% of the total order value.

II. GST is applicable on LD also.

14) Sample: - Samples of the **SWEATERS** have to be offered as per enquiry & to be submitted along with offer. More than one sample or combination pack can be submitted. Suppliers must enclose description and the technical specifications of the samples submitted. Technical Specification / catalogues / brochures must be submitted for all the samples and proper co-relation with respect to samples, article no. model no, shade no. etc. to be furnished. Supplier to submit Test Certificate of samples from your lab/government approved lab.

Each sample should be clearly identified with name of item, manufacturer's name, quantity, packing type etc.

Without Sample, offers will not be considered for further procurement process.

Samples must reach the undersigned by 11.00 am of tender opening date. Each item must be clearly identified physically as well as on paper quotation.

Samples are to be submitted through gate no. 9 only. If submitted directly, samples will not be returned.

Note: - Samples of the **SWEATERS** selected for ordering shall not be returned to the supplier.

For other Suppliers, whose samples are not selected for ordering shall be returned only after completion of ordering process. **These suppliers have to get their samples returned to them within 06 weeks from the date of issue of PO/LOI & after this period, samples will not be returned.**

15) Color & Size Wise Quantity Variation:-

Actual Color & size wise quantity shall be furnished/provided at the time of ordering.

16) Test Certificate:-

During final/bulk supply, Test Certificate (of the material being supplied) from your labs / govt. approved labs of each batch / manufacturer's lot is to be submitted along with each consignment.

17) Packing:-

During final supply, each item should be individually packed to avoid transit damage. Suitable plain non-plastic bio-degradable carry bag should be given for each item. In case the Sweater offered consists of more than one item (combination pack), the same shall be packed in a single box.

18) Inspection:-

BHEL will depute their representatives to the manufacturer's works for inspection of ordered goods/witness of testing prior to dispatch. The supplier shall inform to BHEL, 15 days in advance for readiness of material for inspection along with the name, address, and contact details of the place of inspection. However, final inspection shall be done at BHEL, Bhopal only.

19) Printing:-

The manufacturer should stitch/ embroidery /knitt BHEL monogram / logo on the Sweater as per our instruction. The color / detail and size of the mono and logo shall be issued at the time of placement of order.

20) Final / bulk Supply:-

Final / bulk supplies shall be made as per selected sample only. Any changes will only be acceptable, after mutual agreement with BHEL & Supplier.

21) Quantity Variation:-

A provision of $\pm 5\%$ quantity variation of order quantity within months if required after accessing actual requirement shall be applicable.

22) Guarantee & Replacement: -

The supplier shall confirm that the goods supplied by him shall be covered under guarantee for a minimum period of one year (**12 months**) from the date of **Receipt** of goods. Any damage reported by BHEL during this period, the supplier shall be bound to make free replacement within a reasonable period of time.

23) Availing Input Tax Credit (ITC) by BHEL :-

ITC can be availed only when BHEL is in possession of GST tax invoice and after receipt of goods. So, goods should be supplied and Tax invoice should be submitted timely.

Further ITC can be availed only when vendor has declared such invoice in his outward supply Return GSTR-1 and after GST thereon has been paid by him at the time of filling of monthly Return.

GST portion of invoice shall be released only upon:-

- (1) Vendor declaring such invoice in his GSTR-1,
- (2) Receipt of good and Tax invoice by BHEL,
- (3) Confirmation of payment of GST thereon by vendor on GSTN portal,
- (4) Alternatively, BG of appropriate value shall be submitted by vendor which shall be valid at least one month after the confirmation of date of payment of GST by vendor on GSTN portal and receipt of tax invoice and receipt of goods, whichever is later.
- (5) Above is subject to receipt of goods/service and tax invoice thereof along with vendor declaring invoice in his return and paying GST within timeline prescribed for availing ITC by BHEL.

In case GST credit is delayed/denied to BHEL due to non/delayed receipt of goods and/or tax invoice or expiry of timeline prescribed in GST law for availing such ITC, or any other reasons not attributable to BHEL, GST amount shall be recoverable from vendor along with interest levied/leviable on BHEL.

In case vendor delays declaring such invoice in his return and GST credit availed by BHEL is denied or reversed subsequently as per GST law, GST amount paid by BHEL towards such ITC reversal as per GST law shall be recoverable from vendor along with interest levied / leviable on BHEL.

Payment covering GST portion including interest thereon gets released to vendor only upon completion of above requirement.

24) Un-registered suppliers of BHEL, Bhopal :-

Suppliers who are not yet registered with BHEL, Bhopal must submit following documents for one time code along with Part - A (Techno-commercial bid) of your offer:-

- (1) Copy of PAN no.
- (2) Copy GSTIN registration certificate.
- (3) The percentage (%) of GST applicable
- (4) Copy of MSMED/ NSIC certificate, if applicable
- (5) EFT details as given at BHEL, B2B site (<https://www.bhelbpl.co.in/mm/>) to be submitted by L1 supplier after placement of order.

- 25) All the above points must be explicitly confirmed in the "Part A" of offer. If any point not confirm in "Part A" of your offer, it shall be taken that it is acceptable to you. In case of non-acceptance above points / fail to submit sample / documents as per our tender / specification requirement, your offer may be rejected.
- 26) **Opening of price bid:** - The price bid quotation of the suppliers whose technical and commercial offer is completely acceptable to us in all respects and **whose samples are selected by BHEL Bhopal, will only be opened** at a later date for finalization of Purchase Order.
- 27) BHEL Bhopal reserves the right for rejecting any / all of the samples without assigning any reason, whatsoever.
- 28) In case you feel that your quotation will not reach on due date by post/register A.D./Speed post, please email your quotation **on email ID of Tender Room, mmtender.bpl@bhel.in** before 11:00 AM on or before due date.

Suppliers who submit bids by email are advised to keep the e-mail size to minimum possible and avoid attaching brochures / catalogues etc. Suppliers choosing to submit bids by email run the risk of bids not being received / late receipt at tender room email id on account of internet link failure / spam filtering / hardware malfunction / mail over quota or other unforeseen reason. BHEL shall not be responsible in any way for such loss of opportunity to suppliers.

Important: - It is supplier's responsibility to ensure that the samples and quotations reach BHEL Bhopal on or before 11:00 AM of tender opening date. **Under no circumstances, late offers shall be considered.**

- 29) For this procurement, Public Procurement (Preference to Make in India), Order 2017 dated 15.06.2017, 28.05.2018, 29.05.2019 & 04.06.2020 and subsequent Orders issued by the respective Nodal Ministry shall be applicable even if issued after 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.

- 30) "In the course of evaluation, if more than one bidder happens to occupy L-1 status, effective L-1 will be decided by soliciting discounts from the respective L-1 bidders.

Ranking will be done accordingly. BHEL's decision in such situations shall be final and binding."

31) Refer to clause 29-B of General Terms and Conditions of Enquiry (BP200102). Following changes have taken place;-

- (1) Reserved quantity for MSEs quoting within L1+15% price band to be increased to 25% from existing 20%.
- (2) Minimum of 3% reservation for women owned MSEs within the above mentioned 25% reservation.
- (3) Increase in procurement target from MSEs owned by SC/STS from the existing 4% to 6.25%.

Suppliers seeking clarification may communicate the undersigned through email as given below.

E-Mail Id: kcmeena@bhel.in, riz@bhel.in

1. Quotation shall have to be addressed to:

IN charge

Tender Room

Ground Floor, Administration Building

Piplani, BHEL, Bhopal - 462022

2. Samples shall have to be addressed to:

DGM (MM-CRX & FSX)

Block - 7 Annexe, Eastern Wing,

Ground Floor, Piplani,

BHEL, Bhopal 462022,

Ph. No. 0755-2503750, 2503788

KAILASH CHANDRA MEENA

Sr. Engr. (MM-FSX)

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