

ANNEXURE- TC 1B
TO ENQUIRY No. E7203089
SPECIAL COMMERCIAL TERMS AND CONDITIONS
FOR IMPORTED ITEMS/FOREIGN VENDORS

Important: This format is to be submitted in original, along with Part-I of bid, duly signed by the bidder, as proof of acceptance.

Any Deviation from the T&C mentioned below is NOT acceptable.
Offers received without this acceptance, will be treated as non-responsive, and shall be liable for rejection.

Sl. No.	Terms & Conditions	Vendor's Remarks (Yes/No)
1.	Sealed quotations are invited in Two Part Bid System (Techno-Commercial Bid – Part: 1 & Price Bid – Part: 2, separately) for supply of goods as per BHEL Enquiry specification. A blank copy of price bid (without indicating price) should be kept in Techno commercial bid (Part -1)	
2.	Sealed tender in two part bid system should be submitted in our tender room addressed to: In charge – Tender Room, Ground Floor, Administrative Building, Bharat Heavy Electricals Limited, Piplani, Bhopal – 462022, India, so as to reach on or before 11.00 AM on Due date super-scribing our enquiry No. and due date on the envelope. Tenders shall be opened on the same day at 02.00 PM. Late tender shall NOT be entertained.	
3.	Offered instrument should be exactly in accordance with attached technical specification enclosed with this enquiry. Any deviation shall be clearly brought-out.	
4.	PRICE:	
4a.	Prices shall be quoted on CIP Mumbai basis in foreign currency .	
4b.	Prices shall remain firm till the completion of contract.	
5.	TERMS OF PAYMENT:	
5a.	Supply Payment:	
i.	95 % against irrevocable, unconfirmed LC, payable within 90 days of the bill of lading/ Air way bill (BL/AWB) date. In case BHEL considers any deviation in payment terms i.e. early payment based on vendor's request, then bids shall be evaluated with loading of State bank of India Base rate plus 6%, for the credit period short of 90 days. The LC shall be established 2 month prior to shipment date, valid for period of 90 days, unless agreed otherwise. Payment terms of CAD payable on 90th day of BL / HAWB date shall be Preferred. Vendors to confirm specifically between LC and CAD payment terms	
ii.	5% after successful commissioning at site (subject to production of successful commissioning certificate)	
iii.	Performance Bank Guarantee. PBG of 5% PO value valid till end of warrantee period is to be submitted before release of balance 5% payment	
5b.	Commissioning Payment:	
i.	100% along with taxes & duties, after successful commissioning site within 90 days. (Subject to production of successful commissioning certificate). If commissioning is being done free of cost or commissioning charges are included in offered price of equipment, please specifically indicate here.	
ii.	Please note that TDS on Income Tax in respect of services shall be applicable at the prevailing rates. Vendor to furnish the certificate of residence as per attached format from the tax authorities .Failure to furnish the same shall invite TDS on income tax at applicable higher rates as the case may be.	

5c.	No “Advance Payment” Term will be accepted	
6.	VALIDITY: The offer should remain valid upto 120 days from the tender opening date.	
7.	DELIVERY:	
7a.	Delivery Schedule: Delivery schedule shall be quoted earliest possible from the date of PO , to meet the delivery requirement given in our enquiry sheet. Vendors quoting earlier delivery may be given preference. Bidder shall commit delivery period in number of days / weeks/ months from PO date.	
7b.	Delivery Dates mentioned in Enquiry sheet are tentative. Actual delivery in PO shall be according to our requirement and delivery period quoted by vendor in its offer.	
7c.	Penalty: Penalty for delay in supply: Penalty shall be levied as per clause 9 of general terms and conditions of enquiry (BP200102). Delivery shall be guaranteed by acceptance of penalty.	
7.	Part shipment: Part shipment of material is not permissible.	
7e.	Short Shipment: In case of any short shipment in the main equipment/spares, where separate rates are not available in the contract, all taxes and duties levied on such supplies, if any shall be borne by the supplier.	
8.	WARRANTY:	
8a.	Warranty Period: The material shall be warranted for minimum 12 months from the date of successful commissioning or 18 months from the date of dispatch, whichever is earlier	
8b.	Warranty Replacements: Any warranty replacement during warranty period shall be provided on FOR, BHEL Bhopal basis only . Customs clearance and duty payments, if any, for such cases shall be to the account of vendor only.	
9.	BHEL reserves the right for reverse auction.	
10.	Please furnish the shipping dimension & weight of consignment in your offer.	
11.	Please furnish Permanent establishment and business connection declaration as per applicable Annexures. Please fill in Annexure I or Annexure II (whichever is applicable) and enclose the same along with tender documents.	
12.	Suppliers should meet the qualifying requirement attached with the enquiry. Offers from vendors not meeting the qualification requirements, shall be summarily rejected, and Part-II Price bid of such vendors will not be opened	
13.	Material is to be procured on total L1 basis for all 2 items of enquiry.	
14.	The above terms and conditions shall be read in conjunction with BHEL’s Standard Terms and Conditions of Enquiry Form No. BP200102 enclosed with enquiry. Wherever difference in terms & Conditions is there, the terms & conditions mentioned in this Annexure-TC 1B will prevail.	

Signature of vendor with date & seal