

Ref. Enquiry No.: PE/PG/KR1/E-6508/2020 dated 01.08.2020

DUE DATE
11/09/2020
BY 02:00 PM

Dear Sir / Madam,

Subject: Tender Enquiry for “AGITATOR” for 3X200+3X500+1x500 MW NTPC KORBA TPP-FGD project.

BHEL invites your offer for SUPPLY PART, SERVICE PART & MANDATORY SPARES comprising of design (i.e. Preparation and submission of drawing /documents including “As Built” drawings and O&M manuals), engineering, manufacture, fabrication, assembly, inspection / testing at vendor's & sub-vendor's works, painting, maintenance tools & tackles, fill of lubricants & consumables, Nameplates, mandatory spares along with spares for erection, start up and commissioning as required, special tools & tackles, forwarding, proper packing, shipment and delivery at site AND services part covers supervision of erection & commissioning, trial run at site and carrying out performance guarantee tests at site, training of customer/client O&M staff, training at manufacturer's works & final handing over to end customer in flawless condition for project and package specified above complete with all accessories for the total scope defined as per BHEL NIT & tender technical specification, amendment & agreements till placement of order for Flue Gas Desulphurization (FGD) plant 3X200+3X500+1x500 MW NTPC KORBA TPP-FGD situated Korba town in Korba District of Chhattisgarh State.

Your best quotation / offer shall be submitted in two parts strictly as per Clause-2.0 of the “**Instructions to Bidders**” of GCC, Rev. 07, in line with our terms and conditions, online via e-procurement system on <https://bhel.abcprocure.com>.

S. No.	PROJECT	ITEM DESCRIPTION	TECHNICAL SPECIFICATION NO.
1	3X200+3X500+1x500 MW NTPC KORBA TPP-FGD	AGITATOR	PE- TS- 466 - 571- 18000- A001

Note: 1. Detailed tender documents have been uploaded at the following websites.

- www.bhel.com
- www.bhelpem.com
- www.eprocure.gov.in
- <https://bhel.abcprocure.com>

Corrigenda, addenda, amendments, time extensions, clarifications etc. to the tender will be hosted only on www.bhelpem.com, www.bhel.com & <https://bhel.abcprocure.com> under subject tender reference. Bidders are requested to visit our websites from time to time to keep themselves updated.

Your best quotation/offer for the above requirement, in line with enquiry terms and conditions, should be submitted online via e-procurement portal (<https://bhel.abcprocure.com>). It shall be the responsibility of the bidder to ensure that the tender is submitted **via e-PROCUREMENT SYSTEM** (<https://bhel.abcprocure.com>) **on or before the due date by 2:00 P.M. Part-I bids shall be opened at 3:00 P.M on the due date through e-procurement Portal** (<https://bhel.abcprocure.com>).

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ENQUIRY TERMS AND CONDITIONS:

In this Enquiry GCC REV. 07 is applicable. Link to GCC REV. 07 is <https://www.bhelpem.com/Documents/GCC/GCCRev07.pdf> . Major modifications/salient points of GCC rev-07 are enclosed as Annexure A to this Enquiry Letter.

1. Offers should be submitted separately in two parts **online through e-procurement system** as follows:
Part-I: TECHNO-COMMERCIAL BID **Part-II: PRICE BID**
For detailed instructions, please see Pg. 1-15 of "Instructions to Bidders" of GCC Rev. 07.
2. Bidders shall submit their offers meeting the requirements of the tender documents indicated in GCC, Rev. 07 and other Terms and Conditions included in this Enquiry Letter.
3. Bidders to note that following form the part of tender documents & will become a part of the Order / Contract after its finalisation:
 - a. General Conditions of Contract (GCC), Rev. 07 comprising of Instructions to Bidders and General Commercial Terms & Conditions.
 - b. Technical Specification.
 - c. Special Conditions of Contract (SCC, Rev. 00).
 - d. Enquiry Letter with Terms & Conditions.
 - e. Guaranteed Power Consumption as per enclosed Annexure-B format
 - f. Technical PQR.
 - g. NTPC's Main & Sub-supplier questionnaire
4. Any hidden conditions / deviations mentioned elsewhere in offer and standard pre-printed terms & conditions of the tenderers shall not be considered valid.
5. Tenders shall be submitted strictly in accordance with the requirements of the above mentioned tender documents. Deviations (Technical as well as Commercial), if any, shall be listed out separately in Annexure-II (Cost of withdrawal) of GCC, Rev. 07 along with reasons for taking such deviations. Any deviations (Technical as well as Commercial) not mentioned in the Annexure-II (Cost of withdrawal) and shown separately or found hidden in the offer, will not be taken cognizance of. Bidders to note all the points mentioned in "Notes" of Annexure-II to GCC, Rev. 07.
6. Bidder has to submit "NO DEVIATION CERTIFICATE FOR COMMERCIAL TERMS AND CONDITIONS as per General Conditions of Contracts (GCC, Rev. 07), Special Conditions of Contract and Notice Inviting Tender (NIT)" **in case of no deviations**.
7. **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 issue 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.**

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8. For this procurement, the local content to categorize a supplier as a Class-I local supplier/Class-II local supplier/Non local supplier, is as defined in Public Procurement (Preference to Make In India), Order 2017 dated 04.06.2020 issued by DPIIT. In case of subsequent orders issued by Nodal Ministry, changing the definition of local content for the items of the NIT, the same shall be applicable even if issued after issue of this NIT, but before opening of Part-II bids against this NIT”
The local supplier at the time of tender, bidding or solicitation shall be required to provide self-certification (in prescribed format) that the item offered meets the minimum local content as per above mentioned orders and shall give details of the location(s) at which the local value addition is made.
9. Bidders to ensure compliance to Ministry of Power (MoP) Order No. 25-11/6/2018-PG dt. 02/07/2020 & Order No. 11/05/2018-Coord. Dt.23/07/2020, if applicable.
10. Bidders to ensure compliance of Ministry of Finance (MoF) Order (Public Procurement No.1 & 2) F. No. 6/18/2019/PPD Dt. 23/07/2020.
Bidders to also submit “Model Certificate for Tenders” as per Annexure-III of above referred order of MoF.
11. Unsolicited fresh / revised price bids shall not be entertained.
12. Offers should be submitted separately in two parts **online through e-procurement system only**, however, all correspondence thereof, shall be addressed to the undersigned by name & designation and sent at the following address:

ISHA RAWAT, DY MGR, PG-III M/s. Bharat Heavy Electricals Ltd., Project Engineering Management, Power Project Engineering Institute, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301, U.P., INDIA E-MAIL: isharawat@bhel.in Ph. No. +91-120-4213577; Mob: +91-9711099607	RAEESUL AZAM/DY. ENGR, PG-III M/s. Bharat Heavy Electricals Ltd., Project Engineering Management, Power Project Engineering Institute, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301, U.P., INDIA E-MAIL: raeesulazam@bhel.in Ph. No. +91-120-4368520; Mob: +91-9990663720
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13. Tenderers must enclose the Quality Plan in the prescribed format, for approval. Equipment will be dispatched only after Purchaser's / Owner's inspection of the hold points specified in the approved Quality Plan and issue of Material Dispatch Clearance Certificate (MDCC).
14. **Bidder to note that this is a conditional Open Tender enquiry. Hence, Price Bid (Part-II) Opening shall be subject to following criterion:**
- Techno-commercial qualification / recommendation of bidder by BHEL-PEM.
 - Approval of bidder by Customer: - NTPC approval shall be taken up by BHEL with customer based on the credentials / reference list. Hence, Bidders are requested to submit the following (as part of their credentials) on or before Part-I opening: -
 - Reference list indicating P.O. details, customer name, P.O. date, execution date etc.
 - Performance certificate issued by the clients.
 - NTPC's Main & Sub-supplier questionnaire (enclosed with enquiry) and submit all the supportive documents against details furnished therein (signed & stamped on each page).
 - In line with Clause No. 2.3 of GCC, Rev. 07.

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- iv. **Pre-Qualifying Requirements:** - Bids of only those bidders shall be evaluated who meet the Technical pre-qualifying requirements.

Bidders to ensure that Third party/customer issued certificates being submitted as proof of PQR qualification should have verifiable details of documents/certificate issuing authority such as name & designation of issuing authority and its organisation contact number and email id etc. In case the same found not available, Purchaser has right to reject such document from evaluation.

15. For the bidders (who are not registered with BHEL-PEM), Online Registration Portal is operational in BHEL. Non-registered Vendors, who wish to apply for registration with BHEL-PEM, have to apply through Online Registration Portal available at www.bhelpem.com → vendor section → Online Supplier Registration. All credentials and/or documents duly signed and stamped related to registration has to be uploaded on the website and submit the application for registration. One set of hard copy of the filled-up SRF downloaded from Online Registration Portal duly signed and stamped has to be submitted.

16. **The nature of package is “Non-divisible”.**

17. Delivery Schedule: -

(a) Main Supply: - Within 6 (Six) months from the date of approval of “PRIMARY” drawings / documents in CAT-I/ CAT IV as applicable.

Drawings / documents submission / re-submission schedule shall be as per Annexure-IV of Sub-section - D of Section-I of Technical Specification of respective projects. (Tech Spec No. of PE-TS-466-571-18000-A001 Rev 00 for 3X200+3X500+1x500 MW NTPC KORBA TPP-FGD SYSTEM project). Delay (if any) in submission / re-submission of drawings / documents shall be reduced from the overall delivery period. Delay (if any) in BHEL's comments / approval beyond 18 days shall also be considered for delay analysis.

(b) Mandatory Spares: - Within Three (03) months from the date of separate manufacturing clearance by BHEL failing to which, LD as per Cl. No. 16.2.1(c) of GCC, Rev. 07 shall be applicable.

(c) Supervision for Services: - Bidder to depute their personnel at site within 3 weeks from the date of intimation by BHEL, failing to which LD as per Cl. No. 16.2.1(b) of GCC, Rev. 07 shall be applicable.

Further Following to be noted

- a. The end period specified is for completion of the deliveries. Deliveries to start progressively so as to meet the completion schedule.
- b. The delivery conditions specified are for contractual LD purposes, however BHEL may ask for early deliveries without any compensation thereof.
- c. Non-applicable drawings shall be decided during execution of the package.
- d. Wherever schedule of drawings/documents submission / re-submission is stipulated in the Technical Specifications, same shall be superseded by delivery specified in NIT.

18. MSME / Start-up Vendors to submit applicable documents along with their offer for availing the benefits as per GOI guidelines. Further PEM is already registered with RXIL (TReDS) Platform. You are requested to get registered with RXIL (TReDS) Platform to avail the facility as per GOI guidelines.
19. In case of joint bidding, Bidders shall be required to furnish scope matrix which should be clearly defined between foreign bidder and their Indian representative along with the offer.

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20. Prices shall be firm till completion of the contract.
21. **Evaluation will be done on Total cost to BHEL (excluding GST) basis as per Cl. No. 19.2 of Instruction to Bidders of GCC, Rev. 07.**
"In 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 bidders.
In case more than one bidder happens to occupy L-1 status even after soliciting discounts, the L-1 bidder shall be decided by a toss/ draw of lots, in the presence of respective bidder(s) or their representative(s). Ranking will be done accordingly. BHEL's decision in such situation shall be final and binding."
22. **CIF is available for the package. Bidders to indicate the Import contents i.e. list of the item, Currency of Import and Country of Import including CIF value in their bids/offers as per format enclosed (Annexure-1) in their offer. The benefits availed in Concessional Customs Duty must be passed on to BHEL in their bids/offers (Refer point no. 19 of project SCC Rev0)**
23. Bidders have to quote freight charges in terms of percentage of their quoted Total Ex-Works Price.
24. **Overall (%) variation in contract values (due to changes in the scope) shall be LIMITED TO (+/-) 10%. This will prevail over the quantity variation Cl. No. 6.0 of GCC, Rev. 07.**
21. **BHEL shall be finalizing this tender with price bid opening and will not be conducting RA. Vendor to quote suitably. Vendors to note that above clause will supersede clause no 13 of 'Instruction to Bidders' of GCC Rev 07"**
22. MSME bidders will have to furnish the UAM details.
23. The offers of the bidders who are on the banned list and also the offers of the bidders, who engage the services of the banned firms, shall be rejected. The list of banned firms is available on BHEL website <http://www.bhel.com>.
24. If any bidder uploads price bid in the un-priced section (techno-commercial attachment page) of the tender in e-procurement, in that case bidder(s) shall only be responsible for such mistake and any consequences thereof. Hence all bidders are requested to be more careful at the time of uploading the Un-priced and Price Bid for Part-I and Part-II respectively to avoid mismatch.
25. 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 <http://www.bhel.com> and shall immediately bring to the notice of BHEL Management about any fraud or suspected fraud as soon as it comes to their notice.
26. Bidders participating in subject tender will necessarily have to buy class III DSCs (Digital Signature Certificate) issued by the certifying authorities in India. Basic procedure /checklist is uploaded on "www.bhel.com" for participating in tender enquires through e-procurement. Bidders may go through the Sellers' manual & Help documents provided on E-Procurement Portal website & obtain required Digital Signature Certificate for participating in the subject Tender. For Bidders' convenience, the Helpdesk Nos. of E-Procurement Portal are also listed below:

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Name	Contact Nos.	e-mail ID	Role	Location
Mukunthan	+91 6353215001	Trichy.bhel@eptl.in	Support Executive	Trichy
Tej Singh	+91 6353215002	Bhopal.bhel@eptl.in	Support Executive	Bhopal
Sanjeev Kumar	+91 6353215003	Jhansi.bhel@eptl.in	Support Executive	Jhansi
Gaurav Panwar	+91 6353215004	Haridwar.bhel@eptl.in	Support Executive	Haridwar
Mallikarjun	+91 6353215005	Bengaluru.bhel@eptl.in	Support Executive	Bangalore
Avinash Govu	+91 6353215007	Hyderabad.bhel@eptl.in	Support Executive	Hyderabad
Swapnil Hamilton	+91 7940270549	swapnil.h@eptl.in	Support Executive	HO – Ahmedabad
Hardik Oza	+91 7940270560	Hardik.oza@eptl.in	Support Executive	HO – Ahmedabad
Ankur Bhatt	+91 7940270590	ankur.bhatt@eptl.in	Support Executive	HO – Ahmedabad
Prashant Rajyaguru	+91 7940270545	prashant@eptl.in	Asst. Manager – Implementation & Support	HO – Ahmedabad
Dharam Rathod	+91 7940270596	dharam@eptl.in	Manager – Implementation & Support	HO – Ahmedabad
Pradip Parmar	+91 7940270532	pradip@eptl.in	Sr Mgr – Implementation & Support	HO – Ahmedabad
Devang Patel	+91 7940270576	devang@eptl.in	Sr Manager – Implementation & Support	HO – Ahmedabad

27. Foreign bidders quoting along with their authorised Indian associates to comply with BHEL corporate circular AA:MM: AGENCY dt. 06/08/2010. Same is available at <https://www.bhelpem.com>.
28. This item/package/system falls under the list of items defined in Para 3 of Ministry of Finance guidelines dtd. 20.09.2016 (procurement of items related to public safety, health, critical security operations and equipments etc) & hence criteria of prior experience/turnover shall be same for all the bidders including startup/ MSME.
29. **Due to COVID-19 pandemic condition prevailing in the country, BHEL/PEM may go for Remote Inspection of Offered items, if required. Vendors are requested to be equipped with the facilities/gadgets as indicated in the guidelines attached to take up the inspection REMOTELY. "**
30. **Integrity Pact (IP)**

- a) IP is a tool to ensure that activities and transactions between the Company and its bidders/Contractors are handled in fair, transparent and corruption free manner. Following Independent External Monitors (IEMs) on the present panel have been appointed by BHEL with the approval of CVC to oversee implementation of IP in BHEL.

Sl No.	IEM	Email ID
1	Shri Arun Chandra Verma, IPS (Retd)	acverma1@gmail.com
2	Sheri Virendra Bahadur Singh, IPS (Retd)	vbsinghips@gmail.com

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- b) The IP as enclosed with the tender is to be submitted (duly signed by authorized signatory) along with techno-commercial bid (Part-I in case of two/three part bid). Only those bidders who have entered into such an IP with BHEL would be competent to participate in the bidding. In other words, entering into this pact would be preliminary qualification.
- c) Please refer Section-8 of IP for Role & Responsibilities of IEMs. In case of any compliant arising out of the tendering process, the matter may be referred to any of the above IEM(s). All correspondences with the IEMs shall be done through email only.

Note: No routine correspondence shall be addressed to the IEM (phone/post/email) regarding the clarifications, time extensions or any other administrative queries etc on the tender issued. All such clarification /issues shall be addressed directly to the tender issuing (procurement) department's officials whose contact details are provided below:

ISHA RAWAT, DY MGR, PG-III M/s. Bharat Heavy Electricals Ltd., Project Engineering Management, Power Project Engineering Institute, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301, U.P., INDIA E-MAIL: isharawat@bhel.in Ph. No. +91-120-4213577; Mob: +91-9711099607	RAEESUL AZAM/DY. ENGR, PG-III M/s. Bharat Heavy Electricals Ltd., Project Engineering Management, Power Project Engineering Institute, HRD & ESI Complex, Plot No 25, Sector-16 A, Noida-201301, U.P., INDIA E-MAIL: raeesulazam@bhel.in Ph. No. +91-120-4368520; Mob: +91-9990663720
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- d) Please note that for techno-commercial bid, detailed offers are to be submitted including the following along with the Price schedule as per BHEL format enclosed with NIT: -
- Acceptance of GCC Rev. 07
 - Acceptance of Special Conditions of Contract (SCC).
 - Along with your offer, please submit a copy of this letter duly signed & stamped on each page as token of acceptance of all terms & instructions conveyed.
 - Guaranteed Power Consumption as per enclosed Annexure-B format
 - Technical PQR documents.
 - NTPC's Main & Sub-supplier questionnaire
 - Integrity Pact
 - Certification as per Annx-III of MoF (Order1 & 2) Dt. 23/07/2020.

Thanking You.

Yours Sincerely,



Isha Rawat (Dy Mgr / PG-III / BHEL-PEM)

Enclosures:

1. Technical Specification No. PE-TS-466-571-18000-A001 Rev 00
2. Guaranteed Power Consumption Format- Annexure-B
3. Project SCC, Rev. 00.
4. Technical PQR.
5. Integrity Pact

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6. NTPC's Main & Sub-supplier questionnaire
7. Guidelines for Remote Inspection.
8. Ministry of Power (MoP) Order No. 25-11/6/2018-PG dt. 02/07/2020 & Order No. 11/05/2018-Coord. Dt.23/07/2020.
9. Ministry of Finance (MoF) Order (Public Procurement No.1 & 2) F. No. 6/18/2019/PPD Dt. 23/07/2020
10. Annexure-III of Ministry of Finance (MoF) Order (Public Procurement No.1) F. No. 6/18/2019/PPD Dt. 23/07/2020

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Annexure A

The following major modifications/salient points of GCC rev-07

1. Clause no. 11.2 of GCTC (page no 11 of 28.-) **CONTRACT PERFORMANCE BANK GUARANTEE:** BG to be submitted as performance bank guarantee has been reduced to 5% against 10% in GCC Rev-06, for all type of contracts.
2. Clause no. 9.2.1: note of GCTC (Page no. 7 of 28)-**PAYMENT TERMS FOR SUPPLY PACKAGES WITH PERFORMANCE GUARANTEE/DEMONSTRATION TEST:** 5% of supply payment retained as security deposit shall be released without asking for additional BG (in GCC Rev-06, BG of equivalent amount was required to be submitted) of equivalent amount, if PG test / demonstration test is not conducted up to 36 months from supply completion for reasons not attributable to the vendor.
3. Clause no. 9.3 & 9.4 :note of GCTC (Page no. 9 of 28)-**PAYMENT TERMS FOR TURNKEY PACKAGES (E&C IN VENDOR SCOPE) - (E&C IN VENDOR SCOPE) -** If the Performance Guarantee/ Demonstration Test and Handing over system/package to the customer/BHEL, as applicable, is not conducted up to 24 months from E&C completion for reasons not attributable to the vendor, then last 10% payment under clause 9.3.1.-ii, 9.3.2.-ii & 9.4.3 will be released against Bank Guarantee of an equivalent amount, valid for 12 months, provided other conditions of clause 9.3.1 (ii), 9.3.2 (ii) & 9.4.3 are complied with. This bank guarantee will be in addition to Contract Performance Bank Guarantee for 5% of the contract value (excluding taxes, duties and freight).
4. Clause no. 5.1 of GCTC (Page no. 5 of 28)- **STATUTORY VARIATION – “.... for period beyond the currency of the contract, BHEL will reimburse the actual applicable tax even if the same is higher than the amount applicable within the contractual period in case BHEL is able to take the input tax credit....”.**
5. Supply payment (refer payment terms clause, page no 6-10 of 28) - Clause NO 9.7.3 OF GCTC, GCC Rev 06 has been removed. Now no separate freight invoice is required for claiming freight payment. Freight payment will be done with supply payment.
6. Clause no 9.7 of GCTC (Page-9-10 of 28) - Documents required for vendor payment has been reduced – Vendor need not to submit the documents issued by BHEL e.g. MDCC.
7. Clause no 14.2 of GCTC (Page-13-14 of 28) – Time for deputing inspector has been reduced to 07 days from 15 days and provision for suitable time extension in case of delay in deputing inspector by BHEL.
8. Clause no 15 of GCTC (Page 15 of 28) – Time for issuance of MDCC from BHEL has been reduced from 15 days to 7 days and provision for suitable time extension in case of delay issuance of MDCC by BHEL.
9. Clause no 16.2 of GCTC (Page-15-16 of 28) – Separate LD for Services and Mandatory Spares introduced.

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Also Note (i) of the clause has been modified – “..... if receipted LR date for indigenous supply is beyond 30 days for FTL/ 45 days for PTL from the date of LR (PTL to be clearly mentioned in LR), such excess period shall be considered for LD purpose irrespective of dispatch date....”

10. Clause no 39.0 of GCTC (Page-26 of 25) – separate clause for treating hold on contract execution cases other than force majeure put by BHEL/end customer has been introduced.
11. Clause no 33.1 of GCTC (Page-23-24 of 28) – Clause for conciliation scheme has been introduced.
12. Other modifications are done in various clauses for better clarity of tender/contract- For that vendors are requested to thoroughly go through the whole GCC rev-07.