

Ref. Enquiry No.: PE/PG/BIF/E-5832/2017, Dtd. 18.01.2018

DUE DATE
09-Feb-2018
BY 02:00 PM (IST)

TENDER ENQUIRY THROUGH E-PROCUREMENT

Dear Ma'am/Sir,

Subject : Tender Enquiry for "PLATE HEAT EXCHANGERS (PHE)" as per Technical Specification No. PE-TS-421-179-N001, Rev.0 to 2X660 MW BIFPCL MAITREE KHULNA STPP-BANGLADESH.

BHEL invites offers from reputed bidders (Refer Pre-qualifying requirements and other requirements given in tender enquiry letter uploaded on our websites) for design, engineering, manufacture, assembly, inspection and testing at manufacturer's and/ or his sub-contractor's works, properly packed (as per Sea-worthy packing specification) and painted for transportation & delivery of **PLATE HEAT EXCHANGERS (PHE)** to F.O.R. CHA GODOWN HALDIA PORT 'or' HALDIA PORT (For Indian Bidders) / C&F MONGLA SEA PORT BANGLADESH (for Foreign bidders) / F.O.R. BIFPCL MAITREE SITE, RAMPAL, BANGLADESH (For Bangladeshi bidders) for the total scope defined as per Technical Specification No. PE-TS-421-179-N001, Rev.0 to 2X660 MW BIFPCL MAITREE KHULNA STPP.

Your offer shall be submitted in two parts strictly as per Clause-2.0 of the "Instructions to Bidders" of GCC, Rev. 06 through **ONLINE via e-Procurement System** for the under mentioned equipment/system.

ITEM DESCRIPTION - PLATE HEAT EXCHANGERS (PHE)		
Sl. No.	PROJECT	TECHNICAL SPECIFICATION NO.
1	2X660 MW BIFPCL MAITREE KHULNA STPP.	PE-TS-421-179-N001, Rev.0

Your best quotation/offer for the above requirement, in line with enquiry terms and conditions, should be submitted online via e-procurement portal (<https://bheleps.buyjunction.in>) under mentioned equipment's /system. Please note that you have to submit bids in two parts (Techno-Commercial Bid and Price Bid) separately **ONLINE via e-Procurement System**. In case you are not making an offer against this enquiry, you are requested to send a regret letter so as to reach us on or before the due date.

It shall be the responsibility of the bidder to ensure that the tender is submitted via e-PROCUREMENT SYSTEM on or before the due date i.e. 09/02/2018 by 2:00 P.M. Part-I bids shall be opened at 3:00 P.M on the due date through e-procurement Portal.

Note :-

- 1. Please note that part supplies offered for Project shall disqualify the bidder's offer.**
- 2. Evaluation will be done on overall L1 (Total cost to BHEL excluding GST) basis with necessary loading as applicable.**

Ashish Kumar Gupta
Dy. Manager/PG-I, BHEL/PS-Project Engineering Management,
Power Project Engineering Institute,
Plot no. 25, Sector - 16A, Noida (UP) 201301, INDIA
(OFF) +91-120-4368761, (MOB) +91 9873412410

Regd. Office
BHEL House Siri Fort
New Delhi-110049

Ashish
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ENQUIRY TERMS AND CONDITIONS

Please refer GCC, Rev.06 which is available on www.bhelpem.com/Tenders.aspx. GST related corrigendum to GCC, Rev.06 is enclosed and same is to be considered along with GCC, Rev.06. Bidders are requested to go through the same while submitting the offer.

1. Offers should be submitted **ONLINE via e-Procurement System** separately in two parts as follows :

Part-I: **TECHNO-COMMERCIAL BID**

Part-II: **ONLINE PRICE BID**

For detailed instructions, please see clause no. 2 of "Instructions to Bidders of GCC Rev. 06".

2. If bidder uploads price bid in the unpriced 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 Unpriced and Price Bid for Part-I and Part-II respectively to avoid mismatch.
3. Bidders shall submit their offers meeting the requirements of the following tender documents indicated in GCC, Rev. 06 and other Terms and Conditions included in this Enquiry Letter :
 - **ANNEXURE-I:** To be furnished by the Bidders.
 - **ANNEXURE-II:** DEVITION SHEET (COST OF WITHDRAWAL)
4. **Bidders to note that following form the part of tender documents :**
 - General Conditions of Contract (GCC) Rev.06 comprising of Instructions to Bidders and General Commercial Terms & Conditions and GST related corrigendum.
 - Special Conditions of Contract (SCC)
 - Enquiry Letter (This Letter).
 - Price Schedule
 - Technical Specification
 - Technical PQR
 - Integrity Pact.

Bidders to note that offers shall be submitted strictly in accordance with the requirements of the above tender documents and all the above tender documents shall automatically become the part of the order/contract after its finalisation.

5. The order of precedence shall be NIT/RFQ, Special Conditions of Contract (SCC), and General Conditions of Contract (GCC, Rev.06) in conjunction with GST related corrigendum.
6. Deviations (Technical as well as Commercial) from NIT are generally not acceptable. In case of deviations (Technical/Commercial), the same shall be highlighted separately giving clause references along with the Cost of withdrawal of Deviations as per Annexure-II to GCC, Rev. 06 (to be read in conjunction with GST related corrigendum) along with reasons for taking such deviations. Any deviations (Technical as well as Commercial) not mentioned in the Annexure-II shall not be considered.

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Dy. Manager/PG-I, BHEL/PS-Project Engineering Management,
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Plot no. 25, Sector - 16A, Noida (UP) 201301, INDIA
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Bidder to note all the points mentioned in "Notes" of Annexure-II to GCC, Rev.06 along with GST related corrigendum.

7. Bidder has to submit "NO DEVIATION CERTIFICATE FOR COMMERCIAL TERMS AND CONDITIONS as per General Conditions of Contracts (GCC, Rev.06) in conjunction with GST related corrigendum, Special Conditions of Contract and Notice Inviting Tender (NIT)" **in case of no deviations.**
8. Standard pre-printed terms & conditions of the tenderers (other than BHEL format) shall not be considered valid.
9. Unsolicited fresh/revised price bids shall not be entertained.
10. Purchaser shall be under no obligation to accept the lowest or any other tender and shall be entitled to accept or reject any/all tender(s) in part or full without assigning any reason whatsoever.
11. Tenderers must enclose the Quality Plan in the prescribed format, for approval. Equipment will be dispatched only after Purchaser's/Owner's inspection at the hold points specified in the approved Quality Plan and issue of Material Dispatch Clearance Certificate (MDCC).
12. Late tenders are liable to be rejected.
13. All correspondence thereof, shall be addressed to the undersigned by name & designation and sent at the following address :

ASHISH KUMAR GUPTA, Dy. MGR, PG-I 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 : ashishkumargupta@bhel.in	HASEEN AHMED, MANAGER, PG-I 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 : haseenahmed@bhel.in Ph. No. +91-120-4368729, +919871116747
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14. **Delivery Schedule :**

- a) **Main Supply (along with commissioning spares) :** Six (06) months from date of drawings/documents approval in CAT-I. The drawings/documents submission/re-submission schedule shall be as per clause no. 7.0 of section-IA of Technical Specification.

Drawings submitted shall be complete in all respects with revised drawing submitted incorporating all comments. Any incomplete drawing submitted shall be treated as non-submission with delays to bidder's account. For any clarification/ discussion required to complete the drawings, the bidder shall himself depute his personal to BHEL for across the table discussions/ finalizations/ submissions of drawings.

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- b) **Mandatory Spares** : Mandatory spares to be supplied within 4 months from manufacturing clearance by BHEL-PEM. Separate dispatch/ manufacturing clearance will be issued for Mandatory Spares.
- c) **PG Test** : Vendor to depute their representative to site for carrying out PG test activities within three weeks of intimation by BHEL, subject to site readiness.

15. **Over all (%) variation in contract value** : The variation on overall package value due to changes in the scope shall be limited $\pm 5\%$. This will prevail over the quantity variation clause no. 6.0 indicated in the GCC Rev. 06.

16. **Pre-Qualifying Requirement** :

Bidders are requested to furnish the details as per "TECHNICAL PRE-QUALIFYING REQUIREMENTS" (enclosed with the enquiry document). Along with the tender, bidders to furnish all legible & valid documents required for Technical PQR. The same shall be properly co-relating with respective clause of PQR.

Bids of only those bidders shall be evaluated who meet the Technical pre-qualifying requirements.

17. Bidders to note for compliance that this is a conditional enquiry (Open Global Tender), and the price bid (Part-II) opening/RA shall be subject to following criterion :

- a) Fulfilment of Technical pre-qualifying requirements & Techno-commercial qualification/recommendation of bidder by BHEL-PEM.
- b) Approval of bidder by Customer (who are not approved by customer) : Approval shall be taken up by BHEL with customer based on the credentials/reference list. Hence, bidders to submit the credentials as per format enclosed for submission of bidders credentials with Enquiry Letter (NIT).

18. The bidders (who are not registered with BHEL-PEM)- Online Registration Portal is operational in BHEL. Non-registered bidders, 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."

19. BHEL reserves the right to go for Reverse Auction (RA) (Guidelines as available on www.bhel.com) instead of opening the sealed envelope price bid, submitted by the bidder. This will be decided after techno-commercial evaluation. Bidders to give their acceptance with the offer for participation in RA. Non-acceptance to participate in RA may result in non-consideration of their bids, in case BHEL decides to go for RA.

Those bidders who have given their acceptance to participate in Reverse Auction will have to necessarily submit 'Process compliance form' (to the designated service provider) as well as 'Online sealed bid' in the Reverse Auction. Non-submission of 'Process compliance form' or

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'Online sealed bid' by the agreed bidder(s) will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/ contractors (as available on www.bhel.com).

The bidders have to necessarily submit online sealed bid less than or equal to their envelope sealed price bid already submitted to BHEL along with the offer. The envelope sealed price bid of successful L1 bidder in RA, if conducted, shall also be opened after RA and the order will be placed on lower of the two bids (RA closing price & envelope sealed price) thus obtained. The bidder having submitted this offer specifically agrees to this condition and undertakes to execute the contract on thus awarded rates.

If it is found that L1 bidder has quoted higher in online sealed bid in comparison to envelope sealed bid for any item(s), the bidder will be issued a warning letter to this effect. However, if the same bidder again defaults on this count in any subsequent tender in the unit, it will be considered as fraud and will invite action by BHEL as per extant guidelines for suspension of business dealings with suppliers/ contractors (as available on www.bhel.com).

As a reminder to the bidders, system will flash following message (in RED Colour) during the course of 'online sealed bid':

"Bidders to submit online sealed bid less than or equal to their envelope sealed bid already submitted to BHEL".

Detailed guidelines of reverse auction 2016 are available in "information section" of www.bhelpem.com, same are applicable for subject tender.

20. **Reverse Auction :** "The Bidders has to quote the Single Price (i.e. Total Cost to BHEL) in Reverse Auction. Prices are to be inclusive of Packing & Forwarding charges, all the routine & type tests as per tender scope, Freight as applicable, including loading (if any). De-loading (if any) shall be done in line with NIT/SCC/GCC terms". GST shall not be included as evaluation is to be done excluding GST.
21. Evaluation will be done on overall L1 (Total cost to BHEL excluding GST) basis with necessary loading as applicable.
22. Foreign bidders will have to quote C & F (cost & ocean freight) basis instead of FOB as per following terms & conditions :
- As per Incoterms (CFR), risk transfers to buyer when the goods have been loaded on board the ship in the country of Export. Hence, shipped on board date mentioned on the clean Bill of Lading or Air way Bill, shall be treated as the date of Shipment/ Dispatch for all contractual purposes including calculation of LD.
 - Usance period (90 days) of the L/C shall start from the date of Bill of lading/Air Way Bill.
 - Bill of Lading shall be considered as equivalent document (refer clause 9.7.1 b OF GCC Rev.06) for recognition of dispatch.
 - For claiming payment under clause 9.1.1 and 9.2.1 Bill of lading shall be considered instead of receipted LR (refer clause 9.7.2 b of GCC Rev.06)
 - Freight is to be quoted as inclusive in basic price by vendor and is not to be quoted separately.
 - Insurance for evaluation purposes shall be @ 0.1 % of quoted C&F price.
 - There will be no change in MRC payment.

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23. To oversee implementation of **Integrity Pact (IP)**, **Shri D.R.S Chaudhary, IAS (Retd.)** has been appointed as Independent External Monitor (IEM) by BHEL.

A. IP is a tool to ensure that activities and transactions between the Company and its Bidders/Contractors are handled in a fair, transparent and corruption free manner. A panel of Independent External Monitors (IEMs) have been appointed to oversee implementation of IP in BHEL.

The IP as enclosed with the tender is to be submitted (duly signed by authorized signatory who signs in the offer) along with techno-commercial bid. Only those bidders who have entered into such an IP with BHEL would be competent to participate in the bidding Process (Refer Annexure-IX of GCC, Rev.06). In other words, entering into this Pact would be a preliminary qualification. Details of IEM for this tender is furnished below :

Name : Shri D.R.S Chaudhary, IAS (Retd.)

Address : E-1/164 Arera Colony Bhopal-462016 (M.P.)

Email : dilip.chaudhary@icloud.com , Ph: +91 755 4050495

B. Please refer Section-8 of the IP for role and Responsibilities of IEMs. In case of any complaint arising out of the tendering process, the matter may be referred to the IEM mentioned in the tender.

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.

24. Bidders to note that packing of equipment shall be sea worthy. For sea worthy packing of equipment/items, refer sea worthy packing specification document (Ref. No. PE-TS-888-100-A001) of export jobs enclosed with Enquiry (NIT).

25. CIF is not available for the subject package.

26. Successful bidder shall abide by all Applicable Laws, Rules and Regulations of Bangladesh relating to the execution of contract and performance of work. Successful bidder shall obtain and maintain all consents, permits and licenses that are required under Applicable Laws of Bangladesh.

27. Inspection shall be done by BHEL/End Customer/Third party Agency (finalized by BHEL).

28. L1 bidder will have to submit BG as per format enclosed with Enquiry Letter (NIT) instead of format mentioned in GCC, Rev.06.

29. No announcements, press releases, handouts or photographs for publication etc. relating to purchase-order/work-order or any part of the supply/work shall be issued or released by successful bidder without BHEL's prior written approval.

[Handwritten Signature]
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30. 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.
31. Foreign and indigenous bidders participating through open tender will necessarily have to buy class III DSCs issued by the certifying authorities in India. Basic procedure/checklist has been uploaded on www.bhel.com for participating in future tender enquiries through e procurement.
32. Foreign Suppliers & Indian agents of foreign suppliers : Please refer our website <http://www.bhelpem.com/Tenders.aspx> for details.
33. The offers of the bidders who are on the banned list as 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 www.bhel.com.
34. All corrigenda, addenda, amendments, time extensions, clarifications etc., to the tender will be hosted on websites only (www.bhelpem.com, www.bhel.com, <https://bheleps.buyjunction.in>) under subject tender reference. Bidders are requested to visit our websites constantly to keep themselves updated. **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 Bidder's convenience, the Helpdesk Nos. of E-Procurement Portal m-junction are also listed below :**

MJUNCTION HELPDESK Nos. 033-66011717, 9163348283/9163348284/9163348285/9163348286/8584008116/8584008205, eps.customercare@mjunction.in

CRM Contact Details :

Mr. Santosh Kumar – Cell No. 09717149600, santosh.kumar@mjunction.in

Ms. Rimi Ghosh – Cell No. 09650044156, rimi.ghosh@mjunctionm.in

35. RBI circular no. FED.CO.TRADE(EXD)/3543/05.11.001/2017-18 dtd 18.10.2017 is enclosed as Annexure-R.
36. Please note that for technical bid, detailed offers are to be submitted including the following along with the Price schedules as per BHEL format enclosed with NIT :
- Acceptance of GCC, Rev.06 in conjunction with GST related corrigendum.
 - Acceptance of Special Conditions of Contract.
 - TECHNICAL Pre-Qualifying Requirement (PQR).
 - Technical Deviations and commercial deviations (if, any) as per format enclosed at Annexure-II of GCC, Rev.06. in conjunction with GST related corrigendum.
 - Along with your offers, please submit a copy of this letter duly signed & stamped on each page as token of acceptance of all terms & instructions conveyed.
 - Un-Priced price schedules (format) duly filled in 'Quoted' or 'Q' in each column/row.

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Note : Tenderer must submit UN-PRICED Price schedule duly filled mentioning the word "QUOTED" in place of actual price. The actual price is to be filled in separately and submitted in sealed price bid.

Thanking You.
Yours faithfully,
For and on behalf of BHEL

Ashish Kumar Gupta
(Dy. Manager/PG-I/BHEL-PEM)

Enclosures :

1. Enquiry Letter with Terms & Conditions (This letter).
2. GST related corrigendum to GCC, Rev.06
3. Technical Specification for the package (Ref. No. PE-TS-421-179-N001, Rev.0).
4. Technical PQR
5. Annexure-I Price Schedule (Price should be quoted strictly in this format only).
6. Annexure-II to cost of withdrawal of Deviations.
7. Guidelines for Reverse Auction.
8. SCC for 2X660 MW BIFPCL MAITREE KHULNA STPP.
9. Technical Specification for Sea worthy packing for export Jobs (Ref. No. PE-TS-888-100-A001).
10. Bank Guarantee Format.
11. Format for submission of vendor credentials.
12. Integrity Pact
13. Annexure-R to RBI circular no. FED.CO.TRADE(EXD)/3543/05.11.001/2017-18 dtd 18.10.2017.