

SPECIAL TERMS & CONDITIONS

Enquiry No & Date: 258E139 Dated 06.07.2018

1. For any technical clarification, kindly contact Shri MANOJ SANTANI MGR (TBEM); Contact No. 0120 6748521; **e-mail: MANOJ.SANTANI@BHEL.IN.**
2. For any commercial clarification, kindly contact Raj Narayan Ram, Sr. Engineer (TBMM); Contact No. 0120 6748532; **e-mail: raj.ram@bhel.in.**
3. The tenders are invited and evaluated online through e-Procurement System. The bidder shall submit his response through bid submission to the tender on e-Procurement platform at <https://bhel.abcpocure.com/EPROC/>
4. Proposed delivery plan: **AT THE EARLIEST.** However, vendor has to quote their best possible delivery plan in activity schedule to meet the tender delivery requirement. In case, BHEL's delivery requirement is not met by vendor(s), then a chance may be given to all such vendors to review their quoted delivery schedule in line with BHEL's delivery requirement. However, if vendor fails to meet the requisite delivery plan, then BHEL reserves the right not to consider the offer of such vendor(s).
5. **Permissible Technical Deviations:** No permissible Technical Deviation has been envisaged.
6. **Clause No. 2.1 of general Terms & Conditions for tender Enquiry / Contract should be as follows:**

PRICES: A. the prices to be quoted are with PVC with following formula: Prices shall be on PVC basis as per latest IEEMA Formula (**Annexure-I**) for TL- A&H with ceiling of $\pm 30\%$. The base indices in the formula shall be of first notification of IEEMA of the Month, one Month prior to Initial (i.e. First) Scheduled Techno ñ Commercial Bid opening. The date of delivery shall be P. O. Delivery Date or Date of Actual Dispatch, whichever is earlier. Documentary evidence for price variation is required to be submitted along with claim.

Even in case of extension in Techno Commercial Bid Opening date, base indices of first notification of IEEMA of the Month, one Month prior to Initial (i.e. First) Scheduled Techno ñ Commercial Bid opening shall be applicable.

7. **Clause No. 33 for Reverse Auction of NIT shall be as follows:**

"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 Online sealed bid by the agreed bidder(s) will be considered as tampering of the tender

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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 Color) 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.

8. **PRICE BID FORMAT:** Vendor to quote as per specified price format of NIT, otherwise their offer shall be liable to be rejected.
9. **Clause No: 7 (PERFORMANCE BG):** If no option is specified, by default **OPTION: B** shall be considered for confirmation.

10. REGISTRATION OF NON TBG – PMD VENDORS :

(a.) Bidders, not registered with BHEL TBG, need to submit application for Assessment of Registration through Online supplier registration portal at: www.bhel.com under supplier registration either before Date of Tender Opening or **within three (03) to four (04) weeks of Date of Tender Opening.**

(b) In case of bidders referred to point no (a) above, please note that price bids of only those bidders will be opened who are registered under permanent code by BHEL TRANSMISSION GROUP (BHEL-TBG).

(c) BHEL reserves the right to reject the offer even though bidder meets the prequalification criteria but is considered not qualified for grant of registration of permanent code by BHEL. Decision of BHEL will be final in this regards and shall be binding on the bidders.

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In case any clarifications are required by BHEL TBG, it should be furnished properly at the earliest but not later than 15 days from the date of clarification is sought by BHEL. In case of non-reply/improper reply, BHEL reserves the right to complete the Assessment based on available documents and decide acceptance or rejection of bid accordingly.

Supplier Evaluation team may also visit Works of Bidder for Assessment of Works.

11. IMPORTANT INSTRUCTION:

- **Final acceptance of technical qualified vendor for placement of order is subject to approval in BHEL-TBG Portal/PMD.**
- All boxes / Containers are to be distinctly marked with boldly written "TBG" mark on it.
- For Deemed Export/Export Projects / Projects where GST exemption is applicable and exemption certificate is applicable BHEL/Customer will provide exemption certificate in lieu of GST else GST shall be applicable.

12. RATE CONTRACT VALIDITY /CONDITIONS :

The Rate Contract shall be Valid for 18 Months from the Date of award of the Rate Contract. All orders placed within the Rate contract Validity period have to be executed.

Allotment of job to any Vendor would be sole prerogative of TBG, BHEL & no representation in this regard shall be entertained. However, generally the allotment will be based on following:

- i) Capability of vendor in meeting delivery schedule of BHEL.
- ii) Delivery performance of Vendor.
- iii) Delivery Capacity as available at the time of allotment.
- iv) Vendor approval by customer
- v) L 1 Vendor will be given preference. However, BHEL, TBG reserves its right of allotment to any Vendor, with whom Rate Contract is entered, to meet its delivery requirement.

The Rate Contract is proposed to be entered with ONE [01] Nos. of vendors. The 100 % quantity shall be awarded to original L1 vendor. However, In case of award of Rate Contract, any actual distribution pattern cannot be committed as evaluation will be done among bidders with rate contract is entered, when the delivery location becomes known. Evaluation for each destination shall be done on total cost to BHEL basis and purchase order shall be placed accordingly on L1 vendor for the specific requirement.

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14. Following confirmation to be provided by vendor:

“We confirm that we have quoted as per specified price format provided along with this tender”.

Name:

Signature:

Stamp: