

NOTICE INVITING TENDER (NIT)**BIDDER TO SUBMIT OFFERS ON PORTAL <https://bheleps.buyjunction.in>****To**

Dear Sir/Madam

Sub: NOTICE INVITING TENDER

Sealed offers in two part bid system are invited from reputed & experienced bidders (meeting PRE QUALIFICATION REQUIREMENTS as mentioned in Annexure-I) for the subject job by the undersigned on the behalf of BHARAT HEAVY ELECTRICALS LIMITED as per the tender document. Following points relevant to the tender may please be noted and complied with.

1.0 Salient Features of NIT

| SL NO | ISSUE | DESCRIPTION | |
|-------|-------------------------------------|--|---------------------------|
| i | TENDER REF NUMBER | HY/PESD/PUR/SOLAR-ROAD/NLC-TN/001 | |
| ii | Brief Scope Of Job | Construction Of Road ,Drain, Culverts And Associated Civil Works for 1x65MW of Solar PV plant of NLC at Neyveli, Cuddalore District, Tamilnadu | |
| iii | DETAILS OF TENDER DOCUMENT | | Applicable/Not Applicable |
| a | Volume-IA | Technical Conditions of Contract (TCC) consisting of Scope of work, Technical Specification, Drawings, Procedures, Bill of Quantities, Terms of payment etc. | Applicable |
| b | Volume-IB | Special Conditions of Contract (SCC) | Applicable |
| c | Volume-IC | General Conditions of Contract (GCC) | Applicable |
| d | Volume-ID | Forms and Procedures | Applicable |
| e | Volume-II | Price Schedule (Absolute value) | Applicable |
| iv | Issue of Tender Documents | Tender documents can be downloaded from BHEL website (www.bhel.com), www.eprocure.gov.in and https://bheleps.buyjunction.in till due date of submission. | Applicable |
| v | DUE DATE & TIME OF OFFER SUBMISSION | Date : 08.11.2016 , Time :11.30Hrs Place : https://bheleps.buyjunction.in | Applicable |
| vi | OPENING OF TENDER | Date : 30.11.2016, Time :13.30Hrs Place : https://bheleps.buyjunction.in Notes: (1) In case the due date of opening of tender becomes a non-working day, then the due date & time of offer submission and opening of tenders get extended to the next working day at the same time. (2) Bidder may depute representative to witness the opening of tender with due authorization letters. However it being an e-tender it shall be Opened online. | Applicable |

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| vii | EMD AMOUNT | <i>Rs 6,72,200/- (Rupees Six Lakhs Seventy Two thousand Two Hundred Only) (Micro and Small enterprises are exempted-Refer Sl.No 29 below)</i> | <i>Applicable</i> |
| viii | COST OF TENDER DOCUMENT | <i>Rs 2000/- (Rupees Two Thousand only) (Micro and Small enterprises are exempted-Refer Sl.No 29 below)</i> | <i>Applicable</i> |
| ix | LAST DATE FOR SEEKING CLARIFICATION | <i>Date: 25.11.2016 (At least 5 days before the due date of offer submission) Along with soft version also, addressing to the undersigned as per contact address given below. Mr. Imran Javed, Sr.Purchase Officer, Purchase Section/PE&SD, Admin bldg.-4th Floor, BHEL, R.C. Puram, Hyderabad – 502032 Ph.: 040-23184915,23182367 E-mail: imran@bhelhyd.co.in kumarmanoj@bhelhyd.co.in</i> | <i>Applicable</i> |
| x | SCHEDULE OF Pre Bid Discussion (PBD) | <i>Date : 22.11.2016 Time: 10.00 Hrs. Venue: 4th-Floor, PESD Purchase, Admin building-RC Puram</i> | <i>Applicable.</i> |
| xi | INTEGRITY PACT & DETAILS OF INDEPENDENT EXTERNAL MONITOR (IEM) | <i>Details of IEM is furnished as below: Name Mrs. Pravin Tripathi, IA and AS (Retd.) Email:pravin.tripathi@gmail.com</i> | <i>Applicable</i> |
| xii | Latest Updates | <i>Latest updates on the important dates, Amendments, Correspondences, Corrigenda, Clarifications, Changes, Errata, Modifications, Revisions, etc to Tender Specifications will be hosted in BHEL webpage (www.bhel.com → Tender Notifications → View Corrigendum) & portal https://bheleps.buyjunction.in and not in newspapers. Bidders to keep themselves updated with all such information.</i> | <i>Applicable</i> |
| xiii | Tender Submission | On portal https://bheleps.buyjunction.in | |
| xiv | Time of completion | <i>within 4 (Four) months from the date of commencement of work at site For further details refer Chapter VI: Time Schedule of TCC.</i> | <i>Applicable</i> |

| | | | |
|----|-------------------------------|--|--|
| xv | Award of Contract-Methodology | <p>“BHEL intends to split the contract for “Construction Of Road ,Drain, Culverts And Associated Civil Works for 1x65MW of Solar PV plant of NLC at Neyveli, Cuddalore District, Tamilnadu.” on the basis of following criteria.</p> <p>The total work comprises of two packages i.e. Block-A (40MW site) & Block-B (25MW site). The total work shall be distributed among two bidders as Block-A and Block-B package as per BOQ enclosed at Annexure-A on compliance to the following:</p> <ol style="list-style-type: none"> i. Ranking of bidders as L1, L2, L3 and so on shall be established based on ‘total cost to BHEL’. ii. L1 bidder shall be considered for award of Block-A package on ‘total cost to BHEL’. iii. For award of Block-B package, L2 bidder shall be given an option to match their ‘total cost to BHEL’ with the finalized ‘total cost to BHEL’ of L1 bidder. iv. In case of refusal of L2 bidder to match their ‘Total cost to BHEL’ with that of L1 bidder, option will be given to L3, L4 & so on in the similar manner till the last ranked bidder. v. In case none of the bidders (other than L1) agree to match their ‘total cost to BHEL’ with that of L1’s ‘total cost to BHEL’, then the Block-B package shall also be ordered to L1 bidder who has to accept the same”. | |
|----|-------------------------------|--|--|

2.0 The offer shall be submitted as per the instructions of tender document and as detailed in this NIT. Bidders to note specifically that all pages of tender document, including these NIT pages of this particular tender together with subsequent correspondences shall be submitted by them, **Rates/Price including discounts/rebates, if any, mentioned anywhere/in any form in the techno-commercial offer other than the Price Bid, shall not be entertained.**

3.0 Unless specifically stated otherwise, bidder shall remit cost of tender and courier charges if applicable, in the form of Demand Draft drawn in favour of **Bharat Heavy Electricals Ltd**, payable at Hyderabad issuing the Tender, along with techno-commercial offer. Bidder may also choose to deposit the Tender document cost by cash at the Cash Office at PE&SD, BHEL, R.C. Puram, Hyderabad, on any working day; and in such case copy of Cash receipt is to be enclosed with the Techno Commercial offer. Sale of tender Documents shall not take place on Sundays, National Holidays, holidays declared by Central or State Governments and BHEL at Hyderabad,.

As this tender is an E-tender and no paper bids will be accepted therefore the scanned copy of the Demand Draft or the cash receipt issued by BHEL Hyderabad should be uploaded in the E procurement. Hard copy of the Demand Draft should reach BHEL Hyderabad before the due date and time of bid submission BHEL shall not be responsible for postal or any other delays in this regards.

- 4.0 Unless specifically stated otherwise, bidder shall deposit EMD through Demand Draft/Pay Order in favour of Bharat Heavy Electricals Ltd, payable at Hyderabad. As this tender is an E-tender and no paper bids will be accepted therefore the scanned copy of the Demand Draft or the cash receipt issued by BHEL Hyderabad should be uploaded in the E procurement. **Hard copy of the Demand Draft should reach BHEL Hyderabad before the due date and time of bid submission.** BHEL shall not be responsible for postal or any other delays in this regards. Unless specifically stated otherwise, bidder shall deposit EMD through Cash Deposit (as permissible under the extant Income Tax Act) (before tender opening), Electronic Fund Transfer credited in BHEL account (before Tender Opening) or Banker's Cheque/ Demand Draft/ Pay Order in favour of Bharat Heavy Electricals Ltd, payable at Hyderabad (along with offer). 'One Time EMD' will not be considered for this tender. All the bidders who have 'One Time EMD' with BHEL and want to participate in this tender, would also submit the requisite amount of EMD as mentioned in Clause No. 1, Salient Features of NIT, Sl. No. (vii) above.

However, the One Time EMD can be adjusted against the EMD applicable against this tender on specific request of bidder.

For Electronic Fund Transfer the details are as below:-

- a) Name of the Beneficiary -: Bharat Heavy Electricals Limited**
b) Bank Particulars

- i). Bank Name -: State Bank of Hyderabad
- ii). Bank Telephone No.(with STD code)-: 040 - 23027035
- iii). Branch Address-: CAG BRANCH, NEW DELHI
- iv). 9 Digit MICR Code of the Bank Branch -: 110002201
- v). Bank Account Number -: 62265450106
- vi). Bank Account Type -: Current Account
- vii). 11 Digit IFSC Code of Beneficiary Branch-: SBHY0020075

(Note:- In case of E-Tenders, no paper bids shall be accepted, therefore, the scanned copy of the Banker's Cheque/ Demand Draft/ Pay Order/ Details of payment made through Electronic Fund Transfer should be uploaded in the E-Procurement Portal and hard copy of the same should reach BHEL R.C.Puram Hyderabad before the due date and time of bid submission. BHEL shall not be responsible for postal or any other delays in this regard.)

For other details please refer General Conditions of Contract.

- 5.0 **Procedure for Submission of Tenders:** This is an E-tender floated online through our E-Procurement Site <https://bheleps.buyjunction.in>. The bidder should respond by submitting their offer online only in our e-Procurement platform at <https://bheleps.buyjunction.in>. Offers are invited in two-parts only.

Documents Comprising the e-Tender

The tender shall be submitted online ONLY EXCEPT TENDER FEE & EMD (in physical form) as mentioned below:

a) Technical Tender (Un priced Tender)

All Technical details (eg. Eligibility Criteria requested (as mentioned below)) should be attached in e-tendering module, failing which the tender stands invalid & may be REJECTED. Bidders shall furnish the following information along with technical tender (preferably in pdf format):

- i. Tender Cost and Earnest money Deposit (EMD) furnished in accordance with NIT Clause 3.0 & 4.0. Alternatively, documentary evidence for claiming exemption as per clause 29 of NIT
- ii Technical Bid (without indicating any price)

b) Price Bid:

- i. Prices are to be quoted in the attached Price Bid format online on e-tender portal.
- ii. The price should be quoted for the accounting unit indicated in the e-tender document.
- iii. Note: It is the responsibility of tenderer to go through the Tender document to ensure furnishing all required documents in addition to above, if any. Any deviation would result in REJECTION of tender and would not be considered at a later stage at any cost by BHEL.
- iv. A person signing (manually or digitally) the tender form or any documents forming part of the contract on behalf of another shall be deemed to warrantee that he has authority to bind such other persons and if, on enquiry, it appears that the persons so signing had no authority to do so, the purchaser may, without prejudice to other civil and criminal remedies, cancel the contract and hold the signatory liable for all cost and damages.
- v. A tender, which does not fulfil any of the above requirements and/or gives evasive information/reply against any such requirement, shall be liable to be ignored and rejected.
- vi. In case offer is sent through hard copy/fax/telex/cable/electronically in place of e-tender, same shall not be considered.

DO NOT'S

Bidders are requested NOT to submit the hard copy of the Bid. In case offer is sent through hard copy/fax/telex/cable/electronically in place of e-tender, the same shall not be considered. **Also, uploading of the price bid in prequalification bid or technical bid may RESULT IN REJECTION of the tender.**

Digital Signing of e-Tender

Tenders shall be uploaded with all relevant PDF/zip format. The relevant tender documents should be uploaded by an authorized person having Class 3- SHA2- 2048 BIT- SIGNING & ENCRYPTION digital signature certificate (DSC).

The Requirement:

- a. A PC with Internet connectivity &
- b. DSC (Digital Signature Certificate)(**Class 3- SHA2- 2048 BIT- SIGNING & ENCRYPTION**)

BHEL has finalized the e-procurement service Provider:-

M/s M Junction services Limited, Kolkata

Godrej Water Side, 3rd Floor, Tower-1, Plot-V, Block - DP
Sector - V, Salt Lake, Kolkata-700091, West Bengal, INDIA

The contact details of the service provider are given below:

- I. **First level:**
 - a. MJ Helpdesk : 033-66011717, eps.customercare@mjunction.in
- II. **Second Level:**
 - a. BhaskarChakraborty:8584008205,bhaskar.chakraborty@mjunction.in, eps.customercare@mjunction.in
 - b. Santosh Kumar: 9717149600, santosh.kumar@mjunction.in
- III. **Third Level:**
 - a. Rimi Ghosh: 9650044156, rimi.ghosh@mjunction.in
 - b. Customer care Help Desk of M/s MJUNCTION SERVICES LIMITED, Kolkata: Tel ~ 033 - 66011717 (From 9.30 am to 5.30 pm), Mob - 91633 48283 - 86/ 85840 08116, 8584008205, 8336925964(From 5.30 pm to 8.30 pm) HELPDESK email: eps.customercare@mjunction.in,
The process of utilizing e-procurement necessitates usage of **DSC (Digital Signature Certificate) (Class 3- SHA2- 2048 BIT- SIGNING & ENCRYPTION)** and you are requested to procure the same immediately, if not presently available with you. Please note that only with DSC, you will be able to login the e-procurement secured site and take part in the tendering process.
 - c. The contact details of the DSC Certifying Authority as given below

| | | |
|---|------------|--|
| 1 | GNFC | www.ncodesolutions.com |
| 2 | e-Mudhra | http://www.e-Mudhra.com |
| 3 | Safescrypt | www.safescrypt.com |

Vendors are also requested to go through seller manual available on www.bheleps.buyjunction.in

- 6.0 Not Used
- 7.0 Deviation with respect to tender clauses and additional clauses/suggestions in Techno-commercial bid / Price bid shall NOT be considered by BHEL. Bidders are requested to positively comply with the same.
- 8.0 BHEL reserves the right to accept or reject any or all Offers without assigning any reasons thereof. BHEL also reserves the right to cancel the Tender wholly or partly without assigning any reason thereof. Also BHEL shall not entertain any correspondence from bidders in this matter (except for the refund of EMD).
- 9.0 **Assessment of Capacity of Bidders:**
NOT APPLICABLE
- 10.0 Since the job shall be executed at site, bidders must visit site/ work area and study the job content, facilities available, availability of materials, prevailing site conditions including law & order situation, applicable wage structure, wage rules, etc before quoting for this tender.

They may also consult this office before submitting their offers, for any clarifications regarding scope of work, facilities available at sites or on terms and conditions.

- 11.0 For any clarification on the tender document, the bidder may seek the same over e-procurement portal as per specified format, within the scheduled date for seeking clarification, from the office of the undersigned. BHEL shall not be responsible for receipt of queries after due date of seeking clarification due to postal delay or any other delays. Any clarification / query received after last date for seeking clarification may not be normally entertained by BHEL and no time extension will be given.
- 12.0 BHEL may decide holding of pre-bid discussion [PBD] with all intending bidders as per date indicated in the NIT. The bidder shall ensure participation for the same at the appointed time, date and place as may be decided by BHEL. Bidders shall plan their visit accordingly. The outcome of pre-bid discussion (PBD) shall also form part of tender.
- 13.0 In the event of any conflict between requirement of any clause of this specification/ documents/drawings/data sheets etc. or requirements of different codes/standards specified, the same to be brought to the knowledge of BHEL in writing for clarification before due date of seeking clarification (whichever is applicable), otherwise, interpretation by BHEL shall prevail. Any typing error/missing pages/ other clerical errors in the tender documents, noticed must be pointed out before pre-bid meeting/submission of offer, else BHEL's interpretation shall prevail.
- 14.0 Unless specifically mentioned otherwise, bidder's quoted price shall deemed to be in compliance with tender including PBD.
- 15.0 Bidders shall submit Integrity Pact Agreement (Duly signed by authorized signatory who signs in the offer), **if applicable**, along with techno-commercial bid. This pact shall be considered as a preliminary qualification for further participation. **The names and other details of Independent External Monitor (IEM) for the subject tender is as given at point 1(xi) above.**
- 15a. **Integrity Pact (IP)**
- i) 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. In other words, entering into this Pact would be a preliminary qualification.

Details of IEM for this tender is given at point 1 (xi) above.

- ii) 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.

- 16.0 The Bidder has to satisfy the requirements stipulated for this Tender in order to be qualified. The Price Bids of only those bidders will be opened who will be qualified for the subject job on the basis of satisfying the NIT terms & conditions and date of opening of price bids shall be intimated to only such bidders. BHEL reserves the right not to consider offers of parties under HOLD.
- 17.0 In case BHEL decides on a 'Public Opening', the date & time of opening of the sealed PRICE BID shall be intimated to the qualified bidders and in such a case, bidder may depute one authorized representative to witness the price bid opening. BHEL reserves the right to open 'in-camera' the 'PRICE BID' of any or all Unsuccessful/Disqualified bidders under intimation to the respective bidders.
- 18.0 Validity of the offer shall be for six months from the latest due date of offer submission (including extension, if any) unless specified otherwise.
- 19.0 Price Bids of shortlisted bidders shall only be opened either through the conventional price bid opening or through electronic Reverse Auction, at the discretion of BHEL. BHEL reserves the right to decide the successful bidder on the basis of Reverse Auction process. In such case all qualified bidders will be intimated regarding procedure/ modality for Reverse Auction process prior to Reverse Auction and price will be decided as per the rules for Reverse Auction.
However, if reverse auction process is unsuccessful as defined in the RA rules/procedures, or for whatsoever reason, then the sealed 'PRICE BIDS' will be opened for deciding the successful bidder. BHEL's decision in this regard will be final and binding on bidder.
- 20.0 On submission of offer, further consideration will be subject to compliance to tender & qualifying requirement and customer's acceptance, as applicable.
- 21.0 In case the bidder is an "Indian Agent of Foreign Principals", 'Agency agreement has to be submitted along with Bid, detailing the role of the agent along with the terms of payment for agency commission in INR, along with supporting documents.
- 22.0 The bidders shall not enter into any undisclosed M.O.U. or any understanding amongst themselves with respect to tender.

23.0 Consortium Bidding (or Technical Tie up)

NOT APPLICABLE

- 24.0 The bidder shall submit documents in support of possession of 'tender requirements' duly self-certified and stamped by the authorized signatory, indexed and properly linked in the format. In case BHEL requires any other documents/proofs, these shall be submitted immediately.

- 25.0 The bidder may have to produce original document for verification if so decided by BHEL.
- 26.0 The offers of the bidders who are on the banned list as also the offer of the bidders, who engage the services of the banned firms, shall be rejected. The list of banned firms is available on BHEL web site www.bhel.com.
- 27.0 BHEL reserves the right to go for Reverse Auction (RA) instead of opening the sealed envelope price bid, submitted by the bidder. This will be decided after techno-commercial evaluation. All bidders to give their acceptance 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.

In case BHEL decides to go for Reverse Auction, only those bidders who have given their acceptance to participate in RA will be allowed to participate in the Reverse Auction. Those bidders who have given their acceptance to participate in Reverse Auction will have to necessarily submit „online sealed bid“ in the Reverse Auction. Non-submission of „online sealed bid“ by the bidder will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines in vogue.

Information and General Terms and Conditions governing RA shall form part of the RFQ/ Enquiry.

- 28.0 It may please be noted that guidelines/rules in respect of ‘Suspension of Business dealings’, = ‘Vendor evaluation format’, = ‘Quality, Safety & HSE guidelines’, etc may undergo change from time to time and the latest one shall be followed. The abridge version of extant ‘Guidelines for suspension of business dealings with suppliers/ contractors’ is available on www.bhel.com on “supplier registration page”.

29.0 **Micro and Small Enterprises (MSE)**

Any Bidder falling under MSE category, shall furnish the following details & submit documentary evidence/ Govt. Certificate etc. in support of the same along with their techno-commercial offer

| Type under MSE | SC/ST owned | Others |
|----------------|-------------|--------|
| Micro | | |
| Small | | |

Note: - If the bidder does not furnish the above, offer shall be processed construing that the bidder is not falling under MSE category.

MSE suppliers can avail the intended benefits only if they submit along with the offer, 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 (format enclosed as Annexure – 3 where deemed validity of EM-II certificate of five years has expired) applicable for the relevant financial year (last audited). Date to be reckoned for determining the deemed validity will be the date of bid opening (Part 1 in case of two part bid). Non submission of such documents will lead to consideration of their bids at par with other bidders. No benefits shall be applicable for this enquiry if any deficiency in the 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.

MSEs shall be exempted from payment of tender fee.

MSEs shall be exempted from payment of earnest money at the time of tender deposit. However, there is no exemption of security deposit submission.

30.0 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.

31.0 Order of Precedence

In the event of any ambiguity or conflict between the Tender Documents, the order of precedence shall be in the order below:

- a. Amendments/Clarifications/Corrigenda/Errata etc issued in respect of the tender documents by BHEL
- b. Notice Inviting Tender (NIT)
- c. Price Bid Specification –Volume-II
- d. Technical Conditions of Contract (TCC)—Volume-IA
- e. Special Conditions of Contract (SCC) —Volume-IB
- f. General Conditions of Contract (GCC) —Volume-IC
- g. Forms and Procedures —Volume-ID

For Bharat Heavy Electricals Ltd

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Enclosure

01. Annexure-I: Pre-Qualification Requirement.
02. Annexure-II: Check List
03. Annexure-III: Chartered Accountant certificate for MSMED
04. Annexure-IV: Modification/Deletions in Standard Clause of General Conditions of Contract (GCC) or Special Conditions of Contract (SCC).
05. Annexure-V: General Terms and Conditions of Reverse Auction (RA).
06. Annexure-VI: Authorization of representative who will participate in the online Reverse Auction Process
07. Annexure-VII: Feedback Form, from where did you get information reg. this tender.
08. Other Tender documents as per this NIT. Annexure-A (BOQ for 40MW site and 25MW site)