



Bharat Heavy Electricals Limited
(A Govt. Of India Undertaking)
PROJECT ENGINEERING MANAGEMENT
NOTICE INVITING TENDER (NIT)

Enquiry No: PE/PG/PA1/E-6311/2019

Date- 05-Oct-19

BHEL invites offers from reputed vendors for Effluent Treatment Plant as per following terms and conditions -

1. Mode of Enquiry		E - PROCUREMENT		
2. Project		1X660 MW UPRVUNL PANKI EXTN		
3. End Customer		UTTAR PRADESH RAJYA VIDYUT UTPADAN NIGAM LIMITED (UPRVUNL)		
4. Executing Agency		BHEL-PSNR		
5. Package		EFFLUENT TREATMENT PLANT		
6. Technical scope as Below -				
Supply	Yes	E & C	Yes	Min 20%
Commissioning Spares	Yes	Supervision of E & C	No	
O & M Spares	No	O & M Services	No	
Mandatory Spares	Yes	Packing	Normal	
7. Due Date & Time		28 October 2019		02:00 PM IST
8. Earnest Money Deposit (EMD)		NIL		
9. Security Deposit (SD)		NIL		
10. Tender Cost		NIL		
11. Numbers of Part Bid		Tender is to be submitted in 2- Part bid as follows:		
		a. Part-I: Techno-Commercial Bid: Comprising of technical offer, Commercial terms and conditions, unpriced copy of price bid, Annexure-II (Cost of Withdrawal) and PQR documents. b. Part-II: Price Bid: Containing prices, cost of withdrawal of deviation, if any (As per Annexure-II) , to be uploaded, strictly, as per price schedule of BHEL for complete scope of Tender enquiry in e-procurement portal bidding form only.		
12. Technical Scope		AS PER TECHNICAL SPECIFICATION NO. PE-TS-426-164-A001 Rev00		
13. Last Date for Seeking Clarification		18 October 2019		
14. Schedule of Pre Bid Discussion		NA		
15. Prequalification Requirement		Financial PQR- YES		Technical PQR- YES
16. Delivery terms		FOR Despatch Station		
17. Delivery Schedule as below:-				
a. For Supply (along with commissioning spares)		09 (Nine) months from the date of LOA. Drawing/ documents submission and re-submission shall be as per Technical Specification (PE-TS-426-164-A001).		
b. E & C		Within Six (06) months from the date of availability of front. Site front availability will be reckoned as the date when site informs vendor for mobilization of manpower & resources.		
c. Mandatory Spares		Fifteen (15) months from the date of LOA.		



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18. Prices shall be Firm till completion of contract. PVC Formula, If applicable :- NA

19. CIF Content	Not Available	CIF Value: Not Applicable
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20. HSE (Health, Safety & Environment) requirement of BHEL	YES (As Enclosed)
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21. Integrity Pact Applicability -	YES
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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. Following Independent External Monitor (IEM) has been appointed by BHEL with the approval of CVC to oversee implementation of IP in BHEL:

SI No.	IEM	Address	Email
1.	Shri Arun Chandra Verma, IPS (Retd.)	Flat No. C -1204, C Tower, Amrapali, Platinum Complex, Sector 119, Noida (U.P.)	acverma1@gmail.com
2.	Shri Virendra Bahadur Singh, IPS (Retd.)	H. No. B-5/64, Vineet Khand, Gomti Nagar, Lucknow - 226010	ybsinghips@gmail.com

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 a preliminary qualification. (Refer attached for Integrity pact format). Please refer Section-8 of 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 any of the IEMs mentioned in the NIT. All correspondence 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 officials whose contact details are provided in NIT.

22. Bidders who fulfil TECHNICAL & FINANCIAL PRE-QUALIFICATION REQUIREMENT CRITERIA are eligible to participate in this tender. Bidders are requested to provide the details as per "TECHNICAL AND FINANCIAL PRE-QUALIFYING REQUIREMENTS". Bids of only those bidders shall be evaluated who meet the Technical as well as Financial Pre-Qualifying requirements.

23. Tender Evaluation - Evaluation will be done on overall L1 (Total Cost to BHEL excluding GST) basis for complete scope of the tender with necessary loading as applicable.

In case of PBO, the loading (technical/ commercial), if any, shall be added by BHEL for evaluation. In case of RA, the loading (technical/ commercial), if any, shall be added by bidder while submitting the bid in reverse auction portal.



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Ordering shall be done after de-loading the commercial/ technical loading from bidder's final price.

24. Latest Update

All corrigenda, addenda, amendments, time extensions, clarifications, etc to the tender will be hosted on BHEL website (www.bhel.com), <https://bhel.abcpocure.com> & BHEL-PEM website (www.bhelpem.com). Bidders should regularly visit websites to keep themselves updated.

- 25.** The offers of the bidders who are under suspension 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 web site www.bhel.com.

Integrity commitment, performance of the contract and punitive action thereof:

25.1 Commitment by BHEL:

BHEL commits to take all measures necessary to prevent corruption in connection with the tender process and execution of the contract. BHEL will during the tender process treat all Bidder(s) in a transparent and fair manner, and with equity.

25.2 Commitment by Bidder/ Supplier/ Contractor:

25.2.1 The bidder/ supplier/ contractor commit to take all measures to prevent corruption and will not directly or indirectly influence any decision or benefit which he is not legally entitled to nor will act or omit in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India.

25.2.2 The bidder/ supplier/ contractor will, when presenting his bid, disclose any and all payments he has made, and is committed to or intends to make to agents, brokers or any other intermediaries in connection with the award of the contract and shall adhere to relevant guidelines issued from time to time by Govt. of India/ BHEL.

25.2.3 The bidder/ supplier/ contractor will perform/ execute the contract as per the contract terms & conditions and will not default without any reasonable cause, which causes loss of business/ money/ reputation, to BHEL.

If any bidder/ supplier/ contractor during pre-tendering/ tendering/ post tendering/ award/ execution/ post-execution stage indulges in mal-practices, cheating, bribery, fraud or and other misconduct or formation of cartel so as to influence the bidding process or influence the price or acts or omits in any manner which tantamount to an offence punishable under any provision of the Indian Penal Code, 1860 or any other law in force in India, then, action may be taken against such bidder/ supplier/ contractor as per extant guidelines of the company available on www.bhel.com and/or under applicable legal provisions”.

- 26.** Bidder is requested to quote their best competitive prices. BHEL reserves the right to go for Reverse Auction (RA) (Guidelines as available on www.bhel.com) instead of opening the 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 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).



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The bidders have to necessarily submit online sealed bid less than or equal to their price bid already submitted to BHEL along with the offer (Through e-procurement). **The price bid (Through e-procurement) 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 & price through e-procurement) 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 price bid (Through e-procurement) 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)."

Link for RA guidelines to be followed as:

http://www.bhel.com/vender_registration/pdf/Guidelines%20for%20Reverse%20Auction-2016.pdf

27. Deviations (Commercial as well as Technical) from NIT are generally not acceptable. In case of deviations from NIT, the tenderer shall give cost of withdrawal of such deviation as per Annexure-II along with reasons for taking such deviations.

28. In case there is no change in the technical scope and / or specification and / or commercial terms and conditions, the bidder/s shall not be allowed to change his / their price bids after the due date within the validity period.

29. If any bidder has mentioned the term Not Applicable / Not required / Not Quoted in BHEL price format, the same to be substantiated by the bidder. If such item is required to be supplied for system completion in future, same will be supplied free of cost by Vendor.

30. 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.

31. Tenderers must enclose the Quality Plan in the prescribed format, for approval. Equipment will be despatched only after Purchaser's/Owner's inspection at the hold points specified in the approved Quality Plan and issue of Material Despatch Clearance Certificate (MDCC).

32. All other correspondence thereof shall be addressed to the undersigned by name & designation and sent at the following address:

Mr. Upendra Chaudhary /MGR-BOP
M/s Bharat Heavy Electricals Ltd.,
Project Engineering Management,
Power Project Engineering Institute,
HRD & ESI Complex,
Plot No 25, Sector-16 A, Noida-201301
E-MAIL: upendrachaudhary@bhel.in
Ph. No. 0120-4213561

Mr. Vinit Kumar Verma/ Dy. Manager -B
M/s Bharat Heavy Electricals Ltd.,
Project Engineering Management,
Power Project Engineering Institute,
HRD & ESI Complex,
Plot No 25, Sector-16 A, Noida-201301
E-MAIL: vinitkverma@bhel.in
Ph. No. 0120-4368837

33. Foreign and indigenous 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 are uploaded on www.bhel.com" for participating in tender enquires through e procurement.

34. Important Details for Foreign Bidder-

- Bill of Lading shall be considered as equivalent document (refer clause 9.7.1 b) for recognition of despatch.
- For claiming payment under clause 9.1.1, 9.2.1 and 9.3.1 Bill of lading shall be considered instead of receipted LR (refer clause 9.7.2 b)
- Freight is to be quoted as inclusive in basic price by vendor and is not to be asked separately.
- There will be no change in MRC payment.



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35. Bidder to note that this is an Open Tender enquiry & price bid (Part-II) opening/RA participation shall be subject to following condition:

- a) **Techno-commercial recommendation of bidder by the BHEL-PEM.**
- b) **Approval of bidder by End Customer.** Same shall be taken up with end customer based on the latest credentials/reference list furnished by bidder. Accordingly, bidders are requested to submit credential as per the format enclosed herewith along with their technical bid.

The bidders who are not registered with BHEL-PEM may apply for registration in BHEL-PEM through Registration Portal available at www.bhelpem.com-->vendor section-->online supplier registration. All credentials and/or documents duly signed & stamped related to registration has to be uploaded on the website & submit the application for registration. One set of hard copy filled-up SRF downloaded from Online Registration Portal duly signed & stamped has to be submitted.

36. 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.

37. BGs should be in favour of BHEL-PSNR in place of PEM. L1 Vendor will be required to submit BGs as per GCC Rev-06. Refer enclosed BG format to NIT for BG Submission instead of format mentioned in GCC Rev 06.

38. In case of joint bidding Bidders to furnish scope matrix which should be clearly defined between them along with the offer for the Main Supply and Erection & Commissioning.

39. Bidders to note that offers shall be submitted strictly in accordance with the requirements of the all the enclosed Tender Documents. shall automatically become the part of the Order/Contract after its finalisation.

40. Risk & cost- Additional Overhead Charges shall be 5% instead of 30% as mentioned in Clause No 26.2.of GCC Rev 06.

41. In the event of any contradiction in the terms and conditions mentioned, the order of precedence shall be N.I.T. covering letter (including Tech Spec) followed by SCC and followed by GCC terms & Corrigendum to GCC Rev-06.

42. CGST/SGST/UGST/IGST shall be paid at actuals against documentary evidence but restricted to the amount and percentage as per agreed HSN/SAC Code.

43. Over all (%) quantity variation: The variation on overall package value due to changes in the scope shall be limited to +/-10% in place of 30% mentioned in clause no 6.0 of GCC-REV-06.

44. Insurance Deductibles/Excess:

Marine-Rs. 20000/-

Storage /Erection and Testing Cover -

Rs 2,25,000/- or 5% of the claim amount whichever is higher for Normal Period.

Rs 6,00,000/- or 5% of the claim amount whichever is higher for Testing Period.

Act of God (AOG) Perils: 10% of the claim amount subject to a minimum of testing periods excess and maximum of 5 crs per event

Fire / Explosion Claims: 20% of the claim amount subject to minimum of testing period excess.

Terrorism Cover: 5% of loss amount subject to minimum of Rs. 1,00,000/- and maximum if Rs. 2,50,00,000/- each and every loss.



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Extended Maintenance Cover/ Defect Liability Cover: As applicable for testing period excess.

Third Party Liability Cover:

The policy excesses (Normal/ Testing periods) shall apply for third party liability property damage claims also.

For third party liability claims arising out of Acts of God perils, the excess applicable to AOG claims shall apply.

45. Construction Power, Construction Water & Storage Space shall be as per SCC Rev01.

46. For this procurement, Public Procurement (Preference to Make in India), Order 2017 dated 15.06.2017, 28.05.2018 & 29.05.2019 and subsequent Orders issued by the respective Nodal Ministry shall be applicable even if issued after issue of the NIT but before finalization of contract/ PO/WO against the 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. The package is not divisible in nature and local content requirement is 91%.

Vendors are required to provide the following certificate along with the part-1 bid:

- (i) Provide a certificate from the statutory provide or cost auditor of the company (in the case of companies) or from a practicing cost accountant or practicing chartered accountant (in respect of suppliers other than companies) giving the percentage of local content.
- (ii) Provide the details of the location(s) at which the local value addition shall be made.

47. **Conciliation Guidelines** - The Parties agree that if at any time (whether before, during or after the arbitral or judicial proceedings), any Disputes (which term shall mean and include any dispute, difference, question or disagreement arising in connection with construction, meaning, operation, effect, interpretation or breach of the agreement, contract or the Memorandum of Understanding (delete whichever is inapplicable), which the Parties are unable to settle mutually), arise inter-se the Parties, the same may, be referred by either party to Conciliation to be conducted through Independent Experts Committee to be appointed by competent authority of BHEL from the BHEL Panel of Conciliators.

Notes:

1. No serving or a retired employee of BHEL/Administrative Ministry of BHEL shall be included in the BHEL Panel of Conciliators.

2. Any other person(s) can be appointed as Conciliator(s) who is/are mutually agreeable to both the parties from outside the BHEL Panel of Conciliators.

The proceedings of Conciliation shall broadly be governed by Part-III of the Arbitration and Conciliation Act 1996 or any statutory modification thereof and as provided in Annexure-C to this NIT.

The Annexure -C together with it's Formats will be treated as if the same is part and parcel hereof and shall be as effectual as if set out herein in this NIT. The Purchaser/Contractor/Seller agrees that the Purchaser/Contractor/Seller may make any amendments or modifications to the provisions stipulated in the Annexure -C to this NIT from time to time and confirms that it shall be bound by such amended or modified provisions of the Annexure -C with effect from the date as intimated by BHEL to it.

48. MSME/Start up: - Bidders 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.



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Bidders are requested to get registered with RXIL(TReDS) platform to avail the facility as per GOI guidelines.

49. Bidders must visit site/ work area and study the job content, facilities available, availability of materials, prevailing site conditions including law & order situation 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. No additional claim shall be entertained by BHEL in future, on account of non-acquaintance of above.

50. In addition to above, the terms and conditions shall be as per GCC Rev 06 + Corrigendum to GCC Rev-06 which is available on www.bhelpem.com and SCC of the project (copy enclosed).

51. All the above terms and conditions, post-bid agreements/MoMs (during Techno- Commercial evaluation) shall automatically become a part of the Order/Contract after its finalisation.

52. Tender submission through e-procurement portal- 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 of M/s e Procurement Technologies are also listed below:

e-procurement service Provider details:

M/s e Procurement Technologies limited, Ahmedabad

B705, Wall Street II, Opp Orient Club, Near Gujrat college, Ellis Bridge, Ahmedabad,
PIN 380 006.

Please get in touch with our service provider at the earliest for required support. The contact details of the service provider are given below:

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



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53. Bidders shall upload their offers meeting the requirements of the tender documents. The following documents need to be uploaded on our e-procurement portal:
- Offer forwarding/ covering letter
 - Acceptance of GCC Rev.06 + Corrigendum to GCC Rev-06 & SCC of the project.
 - Duly filled-in 'No deviation certificate' as per prescribed format (Annexure-II) in GCC Rev-06.
 - Important points- In case of any deviation, the same should be submitted separately for technical & commercial parts along with their cost of withdrawal, indicating respective clauses of tender against which deviation is taken by bidder. [Deviation sheet (cost of withdrawal) – annexure –II of GCC Rev-06]
 - It shall be specifically noted that deviation recorded elsewhere shall not be entertained.
 - Pre-qualifying Requirements (PQRs) along with supporting documents
 - FINANCIAL PQR
 - TECHNICAL PQR
 - A copy of this letter duly signed & stamped on each page as token of acceptance of all terms & instructions conveyed.
 - Un-Priced price schedule (format) duly filled in 'Quoted' or 'NA' in each column/row in e-procurement bidding form.
 - Priced Copy- BOQ-cum-price schedule in e-procurement bidding form only.
 - Certificate as per Make in India circular
 - Documents required for approval from end customer (as per attached format)
54. Your best quotation/offer for the above requirement, in line with our terms and conditions, should be uploaded through e-procurement Portal. It shall be the responsibility of the bidder to ensure that the tender is uploaded on or before the due date and time. Part-I bids shall be opened at 03:00 PM on due date through e-procurement Portal.

Note - 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

Thanking You.
For and on behalf of BHEL

Upendra Chaudhary
Manager /BOP_Ordering
BHEL –PEM

Enclosures:

- i. Enquiry Letter along with Terms & Conditions (this letter)
- ii. Technical Specification, Technical PQR & Financial PQR
- iii. Health & Safety Guidelines of BHEL
- iv. Price format/schedule (as per online bidding form in e-procurement) + DEVIATION SHEET (COST OF WITHDRAWAL) Annexure-II of GCC Rev-06.
- v. Annexure-A (BOQ), Annexure-B -BG Format & Annexure-C (Procedure for Conciliation Proceedings)
- vi. SCC of Project.
- vii. Format for submission of credentials (Form 3k)