

Ref. Enquiry No.: PE/PG/RTC/E-6556/2020

Dated: 11.11.2020

**TENDER ENQUIRY THROUGH E-PROCUREMENT
(Conditional Enquiry)**

DUE DATE & DUE TIME
21.11.2020
11:00 AM

SUBJECT: TENDER ENQUIRY FOR RATE CONTRACT OF PLATE HEAT EXCHANGERS AS PER TECHNICAL SPECIFICATION NO. PE-RC-999-179-N004

OUR REF: TENDER ENQUIRY NO: PE/PG/RTC/E-6556/2020 DATED 11.11.2020

Dear Sir/ Ma'am,

We are pleased to invite your offer for subject package in two parts strictly as per Clause-2.0 of "Instructions to Bidders" of GCC (Rev07). Please upload your best quotation/ offer on <https://eprocurebhel.co.in> for the requirement strictly as per schedule of price form available at e-procurement portal before mentioned due date & time. The details of the tender enquiry are as mentioned below:

Sl. No	Description for which Rate Contract is desired	Tentative Quantity	Delivery required
1	<u>PLATE HEAT EXCHANGERS</u> - Refer Technical Specification no. PE-RC-999-179-N004 (REV 0), for detailed description.	As per BOQ cum price schedule (price form available at e-procurement portal) cumulative for the Prospective Projects as per Annexure-IV.	Delivery (Main Supply): Refer Enclosed Annexure-A

Your best quotation/offer for the above requirement, in line with our terms and conditions, should be submitted online via e-procurement system. It shall be the responsibility of the bidder to ensure that the Tender is submitted on or before the due date by **11:00 A.M.** Part-I bids shall be opened at **4 P.M** on the due date in the presence of authorized representatives of the bidders, who may like to be present.

Note: -

- 1. Please note that Part Supplies offered for tender BOQ shall disqualify the bidder's offer.**
- 2. Documents and Credential as per Technical PQR, Techno Commercial Bids and Price Bids should be uploaded on the e-procurement portal.**
- 3. Bidders to ensure that Third party/customer issued certificates being submitted as proof of PQR qualification should have verifiable details of document/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.**
- 4. "This item/Package/System falls under the list of items defined in Para 3 of Ministry of Finance guideline datedt.20-09-2016 (procurement of items related to public safety, health, critical security operations and equipment's, etc.) & hence criteria of prior experience/turnover shall be same for all the bidders including start up/MSME".**

Please refer GCC Rev-07 which is available on www.bhelpem.com. You are requested to kindly download the same.

- 1. Rate contract, on firm price basis, shall be done for 2 years from placement of Rate Contract PO date with a provision for further extension after review on mutual consent.**

Rate contract will be done for 100 percent value on L1 vendor for this package. However, ordering for any project on rate contract basis shall be subject to customer approval.

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2. **Rate Contract will be finalized on total lump sum basis instead of item wise evaluation so that the complete requirement against one project is not split amongst various vendors to minimize operational difficulty.**
3. Following clause will be applicable in line with MII circular Public Procurement (preference to make in India), order 2017 Rev dated-04.06.2020-
- "For this procurement, the local content to categorize a supplier as Class I local supplier/ Class II local supplier/ Non Local supplier and purchase preference to Class I local supplier is as defined in Public Procurement (Preference to Make India), Order 2017 dated 04.06.2020 issued by DPIT. In case of subsequent order issued by nodal ministry changing the definition of local content for item in NIT, the same shall be applicable even if issued after issue of this NIT but before opening of part-II bids against this NIT."

Since this package falls under the category of goods, services or works in respect of which nodal ministry/ department has communicated that there is a sufficient local capacity and competition, **only Class-I local suppliers as defined in the order are eligible to bid.**

4. Following point to be noted regarding verification of local content-
- The supplier at the time of tender, bidding or solicitation shall be required to provide a certificate from the statutory auditor 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) that the item offered meets the minimum local content, in accordance with para 9 (b) of PP-MII order revision dated-04.06.2020.

Point no 3 & 4 above will supersede point no 26 of ITB of GCC Rev 07

5. **Bidders are requested to please note the following: -**
- Evaluation will be done on Ex Works + Freight basis for PHEs. Item wise unit ex works and total ex works price will be derived from the percentage allocation formula mentioned in the price schedule. Vendor to quote only total ex works prices of PHEs.**
 - In the 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 L-1 bidders.
In case more than one bidder happens to occupy the L-1 status even after soliciting discounts, the L-1 bidder shall be decided by a toss / draw of lots, in the presence of the respective L-1 bidder(s) or their representative(s). Ranking will be done accordingly. BHEL's decision in such situations shall be final and binding.
 - Bidder to give single % of freight charges considering anywhere in India in the freight column. Bidders have to give same % of freight for each line item.
 - Bidders to mention applicable GST rate on (total Ex. works + freight) in the specified cells of price schedule. However, may please note that GST shall not be considered in evaluation.
 - Though evaluation is on Ex Works + Freight, but there is % allocation weightage against BOQ quantity of each item which shall be used for arriving at price break up. Bidders need to give only their total ex works price for given BOQ at the specific cells that has been kept opened in the price schedule available in the e-procurement portal (Grand Total ex works price). **Price mentioned anywhere else in BOQ or price uploaded anywhere else in the e-procurement portal shall not be taken in cognizance.**
 - HSN Code mentioned in BOQ Schedule shall be considered by vendor while quoting.
 - Incomplete offer shall be summarily rejected.

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- viii. CIF allocation is not applicable for this tender. Bidder to quote accordingly.
- ix. Quantity variation shall be +5%. Project list is indicative only, BHEL may ask for delivery anywhere in India for any of the project added in the prospective project/ existing projects during RC period. The quantities indicated in the tender are tentative quantities and no minimum quantity is guaranteed by BHEL.
- x. PVC is not applicable for this package. Prices shall be remain firm throughout the contract period.
- xi. 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).
- xii. In case of joint bidding, bidders to furnish scope matrix which should be clearly defined between them along with the offer for the complete scope.
- xiii. In case of RA, if bidder fail to submit the price break up within prescribed time limit then the prices submitted by bidder in his hard bid shall be reduced proportionately for ordering purpose.

TERMS AND CONDITIONS

- Procurement of the subject package shall be done through e-procurement.
- Enquiry No., due date etc. must be legibly super scribed on the offers as per clause no. 2.0 of "Instructions to Bidders" of GCC (Rev07).
- Offers should be uploaded in two parts online at <https://eprocurebhel.co.in> in as follows:
 - Part-I Bid: - Documents and Credential as per Technical PQR and Techno-Commercial offer (along with un-priced copy of priced bid and un-priced schedule of Technical-Commercial Deviation, In e-form available at e-procurement portal)
 - Part II Bid: - Price Bid and Priced schedule of Technical-Commercial Deviation
- Terms and conditions: -
 - Part I bid will be opened on date & time mentioned in the NIT or subsequent corrigenda/amendments, if any.
 - Techno-commercial offer of only those bidders shall be evaluated who will meet the Technical pre-qualifying requirement of the tender.**

All the above Tender Documents shall automatically become a part of the Order/Contract after its finalisation.

- Vendors shall quote in accordance with the requirements mentioned in the tender documents. In case of deviations (Technical/ Commercial), the same shall be highlighted separately giving Clause references along with the Cost of withdrawal of Deviations in e-procurement portal, along with reasons for taking such deviations.

Bidder to note all the points mentioned in "Notes" of cost of withdrawal sheet in e-procurement portal.

- Please note the following:***

- Compliance to price form available at e-procurement portal.***
- SCC enclosed for compliance.***

GCC enclosed for compliance. GCC Rev-07 is available on www.bhelpem.com. You are requested to kindly download the same. Bidders are requested for furnishing compliance of these documents.

- Tenders shall be submitted strictly in accordance with the requirements of the above tender documents.

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8. Standard pre-printed terms & conditions of the tenderers shall not be considered valid.
9. Validity of offer shall be as per cl.no.7 (instruction to bidders) of GCC Rev 07.
10. Unsolicited fresh/revised Price Bids shall not be entertained.
11. 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.
12. Late tenders will be rejected.
13. Tenders and all correspondence thereof, shall be addressed to the undersigned by name & designation and sent at the following address:

Mr. Akash Verma, CMM
M/s Bharat Heavy Electricals Ltd.,
Project Engineering Management,
Power Project Engineering Institute,
HRD & ESI Complex,
Plot No 25, Sector-16 A, Noida-201301
Kind Attn: I P SINGH/ CMM
E-MAIL: akashverma@bhel.in
Ph. No. 0120-4368960 ,09718575780

Mr. Sumeet Sahay, MGR, CMM
M/s Bharat Heavy Electricals Ltd.,
Project Engineering Management,
Power Project Engineering Institute,
HRD & ESI Complex,
Plot No 25, Sector-16 A, Noida-201301
Kind Attn: SUMEET SAHAY/ CMM
E-MAIL: sumeetsahay@bhel.in
Ph. No. 0120-4213532 ,09999498202

14. **PRE-QUALIFICATION REQUIREMENT: -**

Bidders is requested to fill up the details in "TECHNICAL PRE-QUALIFYING REQUIREMENT" as per the conditions mentioned in the PQR (technical) and also to submit the credentials.

Bids of only those bidders shall be evaluated who meet the Technical pre-qualifying requirements (if applicable). Bidders to ensure that Third party/customer issued certificates being submitted as proof of PQR qualification should have verifiable details of document/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.

"This item/Package/System falls under the list of items defined in Para 3 of Ministry of Finance guideline dated 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".

15. All other terms and conditions shall be as per GCC Rev 07 and Special Conditions of Rate Contract as per attached Annexure-III. In the event of any contradiction in the terms and conditions mentioned, the order of preference shall be as mentioned in clause no 36 of GCTC of GCC (Rev.07).
16. Considering all the above open tender enquiry is floated in two parts (Part-I: Techno-Commercial Bid, Part-II: Price Bid) through e-procurement for entering into rate contract for the subject package, all the bids shall be treated conditional, subject to qualify PQR (technical) , & registration in PEM for subject package.

For registration in PEM "Bidders needs to apply & get registered for subject package with PEM before P-2 (price bid opening) & hence you need to apply online for registration on PEM web portal & have to enclose acknowledgement with this effect with the bid documents else your bid may not be considered for evaluation"

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17. All the above Tender Documents shall automatically become a part of the Order/Contract after its finalization.
18. All corrigenda, addenda, amendments, time extensions, clarifications etc. to the tender will be hosted on BHEL websites only (www.bhelpem.com, www.bhel.com & <https://eprocurebhel.co.in> under subject tender reference. Bidders are requested to visit our websites from time to time 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.**
19. Bidders to submit their offers strictly in line with the form available at e-procurement portal.
20. Inspection shall be done by BHEL/ END CUSTOMER/Third party Agency (finalized by BHEL).
21. This enquiry is subject to Conditions/ limits if any imposed in PMD / Vendor registration.
22. Foreign & indigenous bidders participating through open/limited tender will necessarily have to buy class III DSCs issued by the certifying authorities in India. Basic procedure/ checklist is uploaded on www.bhel.com.
23. Non- registered bidder to submit the credentials required for Registration in 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."
24. Purchaser reserves the right to split up the scope of the tender enquiry and place the orders for different scope/ items with different bidders and also increase or decrease the quantity.
25. RA guideline 2020 shall be applicable for this tender and same is available at http://www.bhel.com/vendor_registration/pdf/Guidelines%20for%20Reverse%20Auction-2020.pdf
Bidders to note following point before quoting-
"BHEL shall be resorting to Reverse Auction (RA) (Guidelines as available on www.bhel.com) for this tender. RA shall be conducted among all the techno-commercially qualified bidders. Price bids of all techno-commercially qualified bidders shall be opened and same shall be considered as initial bids of bidders in RA. In case any bidder(s) do(es) not participate in online Reverse Auction, their sealed envelope price bid along with applicable loading, if any, shall be considered for ranking."
Note: - Vendors to note that above RA clause will supersede clause no 13 of " Instruction to bidders " of GCC Rev-07.
"The Bidders has to quote the Single Price (i.e. Total Cost to BHEL) (excl. GST) in Reverse Auction. Price are to be inclusive of Packing & Forwarding charges, all the routine & type tests as per tender scope, Freight as applicable, including loading (if any) but excluding GST. De-loading (if any) shall be done in line with NIT terms
26. **Restrictions under Rule 144(xi) of the General Financial Rules (GFRs), 2017**

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I. Any bidder from a country which shares a land border with India will be eligible to bid in this tender only if the bidder is registered with the Competent Authority.

II. "Bidder" (including the term 'tenderer', 'consultant' or 'service provider' in certain contexts) means any person or firm or company, including any member of a consortium or joint venture (that is an association of several persons, or firms or companies), every artificial juridical person not falling in any of the descriptions of bidders stated hereinbefore, including any agency branch or office controlled by such person, participating in a procurement process.

III. "Bidder from a country which shares a land border with India" for the purpose of this Order means

- An entity incorporated, established or registered in such a country; or
- A subsidiary of an entity Incorporated. established or registered in such a country; or
- An entity substantially controlled through entities incorporated, established or registered in such a country; or
- An entity whose beneficial owner is situated in such a country: or
- An Indian (or other) agent of such an entity; or
- A natural person who is a Citizen of such a country; or
- A consortium or joint venture where any member of the consortium or joint venture falls under any of the above.

IV. The beneficial owner for the purpose of (iii) above will be as under:

- In case of a company or Limited Liability Partnership, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has a controlling ownership Interest or who exercises control through other means,

Explanation-

- "Controlling ownership interest" means ownership of or entitlement to more than twenty-five per cent. of shares or capital or profits of the company;
 - "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions Including by virtue of their shareholding or management rights or shareholder's agreements or voting agreements;
- In case of a partnership firm, the beneficial owner is the natural person(s) who, whether acting alone or together. or through one or more juridical person, has ownership of entitlement to more than fifteen percent of capital or profits of the partnership;
 - In case of an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has ownership of or entitlement to more than fifteen percent of the property or capital or profits of such association or body of Individuals;
 - Where no natural person is Identified under (1) or (2) or (3) above, the beneficial owner is the relevant natural person who holds the position of senior managing official;
 - In case of a trust, the identification of beneficial owner(s) shall Include identification of the author of the trust. the trustee, the beneficiaries with fifteen percent or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

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V.An Agent is a person employed to do any act for another, or to represent another in dealings with third person

Note- The above clause shall not be applicable for the bidders from those countries (even if sharing a land order with India) to which the Government of India (GoI) has extended lines of credit or in which the GoI is engaged in development work.

27. If any bidder has mentioned the term Not Applicable / Not required / Not Quoted in bidding form. The bidder needs to substantiate the same. If the same item will be required in future for the system same will be supplied free of cost.
28. L1 bidder will have to submit Bank Guarantee for each POs (irrespective of value) which will be placed under the Rate Contract finalised through this tender considering RC as original contract as per format mentioned in in GCC Rev 07.
29. All other terms and conditions shall be as per GCC Rev 07 and Special Conditions of Rate Contract as per attached Annexure-III. In the event of any contradiction in the terms and conditions mentioned, the order of preference shall be as per GCC (Rev07).
30. The evaluation currency for this tender shall be INR.
31. The Bidder declares that they will not enter into any illegal or undisclosed agreement or understanding, whether formal or informal with other Bidder(s). This applies in particular to prices, specifications, certifications, subsidiary contracts, submission or non-submission of bids or any other actions to restrict competitiveness or to introduce cartelization in the bidding process. In case, the Bidder is found having indulged in above activities, suitable action shall be taken by BHEL as per extant policies/ guidelines.

Thanking you,
Yours faithfully,
For and on behalf of BHEL

Sd/-

Akash Verma
Dy Mgr/CMM

Enclosure:

1. Enquiry Terms & Conditions.
2. Technical Specifications.
3. Technical PQR
4. SCC – Annexure-III to NIT.
5. Prospective Project List –Annexure IV
6. Format for self-certification regarding local content
7. Price Schedule-Annexure-I
8. Cost of withdrawal sheet -Annexure-II to NIT (Enclosed along with price schedule)
9. Annexure-A for Delivery schedule

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Annexure-A for Delivery schedule

1) Standard Delivery Terms for Supply Portion

Within Four (04) months for SS-PHEs & Seven (07) months for Titanium PHEs, from date of CAT-1 approval of Primary drawing/documents, subjected to drawing/document submission/re-submission schedule as stipulated, in case of any delay in submission/re-submission of Primary drawing/ documents, then same shall be reduced from the given delivery period. Delay in BHEL's comments/approval beyond 18 days shall also be considered for delay analysis.

BHEL Drawing No	Drawing Title	Primary/Secondary	Drg Sch for Vendors
PE-V5-XXX-179-N001	TDS -PHE	Primary	R-0 within 21 days from PO & subsequent revisions incorporating all the BHEL comments within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.
PE-V5-XXX-179-N002	General Arrangement of PHE	Primary	
PE-V5-XXX-179-N003	Sizing Calculation of PHE's	Primary	
PE-V5-XXX-179-N005	QP-PHE	Primary	
PE-V5-XXX-179-N004	Performance Curves of PHE's	Secondary	R-0 within 20 days of approval on TDS & subsequent revisions incorporating all the BHEL comments within 10 days of comments received from BHEL. BHEL shall furnish comments / approval on each submission within 18 days from receipt.
PE-V5-XXX-179-N006	O&M Manual-PHE	Secondary	within 30 days of issuance of MDCC.

- 2) PG Test:** Vendor to depute its service engineer for PG Test within 15 days from BHEL's intimation (for deputing service engineer) for such site activity.
- 3) Mandatory Spares:** Mandatory Spares to be delivered within 04 months from manufacturing clearance. Separate dispatch/ manufacturing clearance will be issued for Mandatory Spares.

Notes:

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

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