

I – Rate Contract Terms and Conditions to be enclosed along with enquiry:

- (i) This Enquiry is for entering into Rate Contract for the procurement of Paints required for various projects.
- (ii) The Rate Contract Period will be 5 months from the date of Reverse Auction.
- (iii) The quantity indicated is tentative only. The qty indicated are not guaranteed requirement. It may increase / decrease.
- (iv) Price will be firm in the period of Rate contract.
- (v) Vendor shall indicate in the commercial offer their delivery capacity with delivery period.
- (vi) Also vendor shall indicate their delivery capacity with delivery period from the date of release of subsequent addendums that can be released by BHEL based on further requirement.
- (VIII) Vendor shall offer their prices on F.O.R.BHEL Stores, Ranipet basis i.e. price shall be inclusive of P&F and Freight & Insurance.**
- (IX) Vendor shall furnish all the details as per the enclosed commercial terms & conditions format.

II - Special Terms and Conditions

- (i) BHEL reserves the right to increase or decrease the tendered quantity and BHEL reserves the right to split the tendered quantity against each enquiry in the ratio of 70:30 among the L1 and L2 vendors respectively. The L1 rate will be counter offered to the L2 vendor and upon acceptance of the counter offer, PO will be placed on L2 vendor for 30% of the enquiry quantity. If L2 vendor does not accept counter offer, it will be counter offered to next higher bidders leaving out H1 bidder (i.e., H1 bidder will not be given any counter offer) and also if no one accepts the counter offer, the entire enquiry quantity will be ordered on the L1 vendor
- (ii) Lowest prices received against BHEL tenders need not be the technically acceptable L1 price and BHEL reserves the right not to consider the same.
- (iii) BHEL reserves the right to negotiate or re-float the tender opened if L1 price is not the lowest acceptable price to inter-alia other reasons.
- (iv) BHEL reserves the right to negotiate the L1 rates.
- (v) BHEL may order on more than one vendor at the lowest acceptable price to BHEL.

III – Technical requirements: as per tech. specification and drawing.

IV – Quality requirements: - As per BHEL approved quality plan.

General Terms:

- i. Tenderers who failed to comply with earlier contractual obligations of BHEL which resulted in short closure / Cancellation of any contract is not eligible to participate in this tender.
- ii. Companies black listed /ordered for blacklisting by BHEL would not be considered. Tenderers who are having unresolved dispute with BHEL will not be considered under any circumstances.