



SECTION IV

1.0 SPECIAL PROVISIONS FOR MICRO AND SMALL ENTERPRISES (MSE BIDDERS):

In line with Gazette notification issued by Ministry of Micro small and medium enterprises on MSE suppliers, the following special provisions shall be applicable.

- I. 25% of the tendered value is earmarked for MSE suppliers in this tender.
- II. If L1 vendor (or) Counter Offer accepted vendor is from a Micro / Small enterprise which put together covers 20% of the total tendered value, the 20% earmarking provision is not applicable.
- III. Out of the 25% tendered value reserved for MSE suppliers, 6.25% shall be earmarked for procurement from MSE owned by SC / ST entrepreneurs. In event of failure of such Micro and Small enterprises to participate in the tender process or meet the tender requirements and the L1 price, the 4% sub-target for procurement ear-marked MSE owned by SC / ST entrepreneurs shall be met with other MSE enterprise/s. Also, out of the 25% reservation, 3% shall be reserved for MSEs owned by women entrepreneurs.
- IV. In case MSE vendor participating in the tender quotes within the price band of L1 + 15%, they will be allowed to supply the portion of the requirement subject to acceptance of L1 price by MSE vendor. In case of more than one such MSE, the supply shall be shared proportionately, provided the package can be split.
- V. In case the Package cannot be split / not envisaged for splitting as per tender, and if a non-MSME vendor becomes L1, and MSME vendor also participates in the tender, the MSME vendor will be given preference for ordering the package provided the MSME vendor quoted price is within L1 + 15%, and if the MSME vendor accepts the L1 rate.
- VI. In case of a similar package required for two boilers, if a non-MSME vendor becomes L1, and MSME vendor also participates in the tender, then L1 will be ordered with one package of one boiler and MSME vendor will be given preference for ordering the other package of other boiler, provided the MSME vendor quoted price is within L1 + 15%, and if the MSME vendor accepts the L1 rate.
- VII. MSE suppliers can avail the intended benefits only if they submit along with the offer, attested copies of either attested copy of EM II certificate having deemed validity (five years from the date of issue of acknowledgement in EM II) or valid NSIC certificate or attested copy of EM II certificate along with CA certificate applicable for the year, certifying quantum of investment in plant and machinery within the permissible limits as per the act for relevant status (MICRO or SMALL) where the deemed validity of EM II is over. Date to be reckoned for determining the deemed validity will be the last date of technical bid submission (Part 1 in case of two part bid). Non submission of such



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documents will lead to consideration of their bid at par with other bidders. No benefits shall be applicable for the enquiry if any deficiency in the above required documents is not submitted before the 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 Gazette officer.** In addition to above, Udyog Aadhar Memorandum (UAM) along with CA certificate is also acceptable as per latest MSE notification. This provision for MSE will apply subject to the condition that the participating MSE meets the tender requirements.

- VIII. In case of any change in the MSE status of the bidder, it shall be the responsibility of the bidder to notify the change as a part of the bid document. If at a later date it comes to the knowledge of BHEL that the change in the status has not been intimated by the bidder and the order is obtained under the premise of an MSE, then BHEL would cancel the pending order against this tender and take necessary steps for suspension of the business dealing with the bidder as per the procurement policy of BHEL.
- IX. In case after the bid opening it is seen that no MSE has become L1, then depending on the nature of the item, if it is not possible to split the tendered items / quantities on account of reasons like customer contract requirements of supplying one make for a given project or technical reasons like tendered items being a system, tendered quantity being low etc., then BHEL would not counter offer the L1 prices even though there may be MSE bidders within the +15% band of L1.

2.0 DEFINITIONS OF MSEs OWNED BY SC/ST IS AS UNDER:

- I. In case of proprietorship firm, proprietor must be SC/ST.
- II. In case of partnership firm, the SC/ST partners must be holding at least 51% shares in the unit.
- III. In case of private limited companies, at least 51% share must be held by SC/ST promoters.
- IV. The caste/Tribe/Community certificate issued by the following authorities in the prescribed form for SCs/STs can be considered.

3.0 AUTHORITY TO ISSUE SC/ST CERTIFICATE:

- I. District Magistrate/Additional District Magistrate/Collector/Deputy commissioner/Additional Deputy Commissioner/Deputy collector/1st class stipendiary magistrate/Sub divisional Magistrate/Taluka Magistrate/Executive magistrate/Extra Assistant commissioner.
- II. Chief Presidency magistrate/Additional chief presidency magistrate/Presidency magistrate.
- III. Revenue Officer not below the rank of tehsildar.
- IV. Sub-Divisional officer of the area where the individual and / or his family normally resides.

To avail the benefits of MSE under SC/ST category, the related documents as stated above should be submitted along with tender documents. No benefits shall be applicable for the enquiry if any deficiency in the above required documents is not submitted before the price bid opening.



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- Format for Certificate by Chartered Accountant on letter head:

This is to Certify that M/S(hereinafter referred to as 'company') having its registered office atis registered under MSMED Act 2006, (Entrepreneur Memorandum No (PartII).....dtd:....., Category: _____ (Micro/Small)). (Copy enclosed).

Further verified from the Books of Accounts that the investment of the company as on date..... as per MSMED Act 2006 is as follows:

1. For Manufacturing Enterprises: Investment in plant and machinery (i.e. original cost excluding land and building and the items specified by the Ministry of Small Scale Industries vide its notification No.S.O.1722(E) dated October 5, 2006: Rs.....Lacs

2. For Service Enterprises: Investment in equipment (original cost excluding land and building and furniture, fittings and other items not directly related to the service rendered or as may be notified under the MSMED Act, 2006: Rs.....Lac.

The above investment of Rs.....Lacs is within permissible limit of RsLacs forMicro/Small (Strike off which is not applicable) Category under MSMED Act 2006.

Or

The company has been graduated from its original category (Micro/ Small) **(Strike off which is not applicable)** and the date of graduation of such enterprise from its original category is (dd/mm/yyyy) which is within the period of 3 years from the date of graduation of such enterprise from its original category as notified vide S.O. No. 3322(E) dated 01.11.2013 published in the gazette notification dated 04.11.2013 by Ministry of MSME.

Date:

(Signature of Chartered Accountant)

Name-

Membership number-

Seal of Chartered Accountant-