

1. Enquiry is floated through E-procurement system and hence Offer has to be submitted through EPS portal only (<https://bhel.abcpurchase.com/EPROC>).
2. For any technical clarification, please contact Mr Ranajit De, Dy. MGR /VIVEK KAPIL, SR. DGM (TBEM) Contact No. 0120- 6748494/8531.; e-mail: ranajitd@bhel.in/vivek@bhel.in
3. For any commercial clarification, pls contact Mr. Prateek Kumar, Dy. Manager (TBMM); Contact No.0120-6748480; e-mail: pkp@bhel.in
4. **Destination-** IOCL Panipat Ss
5. Vendor to submit complete credential along with techno-commercial offer for approval from IOCL & price bid opening is subject to bidder approval of IOCL.
6. Bidder should be IOCL approved vendor.
7. **Pre Qualification:** Bidder to comply technical requirement given in clause 1.3 of Technical specification.
8. Project Status: Domestic. GST shall be payable as applicable.
9. **Clause-5 (Guarantee clause) of GTC:** The primary defect liability period for complete works /Units (s) shall be 12 months from the date of issue of commissioning certificate or 8000 Hrs of run, whichever is earlier, provided that if the unit (s) cannot be commissioned for a cause solely attributable to the OWNER within 12 months from the mechanical completion, the primary defect liability shall be 18 months from the date of mechanical completion. The date of commissioning is 20-01-2022.
10. **Clause-7 (PBG validity) of GTC:** Supplier shall arrange to submit Performance BG / Deposit on a non-judicial stamp paper of appropriate value along with first invoice **in line with one of the applicable options given in enclosed General Terms and Condition (GTC - BHEL/TBG/GTC/2016 Rev-1)**. PBG should valid till guarantee period with claim period of 3 months extra over and above guarantee period. Option-B of NIT shall be considered for PBG, if not specifically mentioned by bidder.
11. **Clause-12 (Delivery Period) of GTC- shall be read as below- Delivery requirement: Dec 2021.** However, vendor has to examine their best possible delivery plan & mention in **ACTIVITY SCHEDULE** to meet the tender delivery requirement. In case, BHEL's delivery requirement is not met by vendor(s), then a chance may be given to all such vendors to review their quoted delivery schedule in line with BHEL's delivery requirement. However, if vendor fails to meet the requisite delivery plan, then BHEL reserves the right not to consider the offer of such vendor(s).
12. **Liquidated Damage (Clause no. 13 of GTC):** In case of delay in execution of Purchase Order beyond the contractual delivery time, an amount of 0.5% of the TOTAL PO EX-WORKS VALUE & F & I CHARGES for supply per week of delay or part thereof subject to a maximum of 10% of the TOTAL PO EX-WORKS VALUE & F & I CHARGES shall be deducted as Liquidated Damages (LD) along with applicable GST (if any) on LD. LR/GR date or Invoice date (whichever is later) shall be treated as the date of dispatch for levying LD as above. Other terms as per **General Terms and Condition (GTC - BHEL/TBG/GTC/2016 Rev-1)**.

13. **Scope and Evaluation:** as per technical specification.
14. **Clause No. 34 of GTC (Integrity pact)** – Not applicable.
15. **Clause No. 39 of GTC Variation of Contract Value/Quantity Variation:** Quantity variation is applicable on total quantity, which may vary upto +20% to -20% as per specification.
16. Reg. vendor approval at BHEL, TBG- Supplier to visit <https://supplier.bhel.in/>. for online registration at TBG.
17. **Clause No. 33** for Reverse Auction of NIT shall be as follows:

“BHEL reserves the right to go for Reverse Auction (RA) (Guidelines as available on www.bhel.com) instead of opening the sealed envelope 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).

The bidders have to necessarily submit online sealed bid less than or equal to their envelope sealed price bid already submitted to BHEL along with the offer.

The envelope sealed price bid 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 & envelope sealed price) 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 envelope sealed bid 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).”

As a reminder to the bidders, system will flash following message (in RED Color) during the course of ‘online sealed bid’: “Bidders to submit online sealed bid less than or equal to their envelope sealed bid already submitted to BHEL.

In addition to above RA guidelines, bidder note that

(A) In case where RA is conducted successfully Reverse auction shall be conducted as per existing procedure of BHEL. Ranking of bids shall be based on final price fed by respective bidder (including H1 bidder) in reverse auction process. If L1 bid is from a 'Local Supplier', L-1 bidder may be considered for further award of work. No other Bidder shall be invited to match price of L-1 Bidder

If L1 bid is not from a 'Local Supplier', the lowest evaluated bidder among the 'Local Suppliers' based on the ranking of the price after RA, will be invited to match the L1 price provided 'Local Supplier's price is within the Margin of Purchase Preference i.e. +20% of L1 price. In case such local supplier agrees to match the price of L-1 Bidder, such local supplier may be considered for further award of work. In case such lowest eligible 'Local Supplier' fails to match the L1 price, the eligible 'Local Supplier' with the next higher bid within the Margin of Purchase Preference (i.e 20% of L-1 Price) as above shall be invited to match the L1 price, and so on, and may be considered for award of work accordingly. In case none of the 'Local Suppliers' within the Margin of Purchase Preference (i.e 20% of L-1 price) matches the L1 price, then the L1 bidder may be considered for award of work.

(B) In case where RA is failed

Price bid shall be opened as per reverse auction procedure of BHEL and based on the same make in India policy shall be implemented.

18. Technical Specification- As per Doc no. TB-411-510-101 Rev00.

19. Permissible Technical Deviations: No permissible Technical Deviation has been envisaged.

20. **Make In India Declaration:** Preference to Make in India will be as per the Public Procurement (Preference to Make in India), Order 2017 available in the following link:

1. http://dipp.nic.in/sites/default/files/publicProcurement_MakeinIndia_15June2017.pdf
2. http://dipp.nic.in/sites/default/files/Revised-PPP-MII-Order-2017_28052018.pdf

21. Vendor need to submit stamped and signed copy of self-declaration regarding make in INDIA local content as refereed above. Please note that **Minimum local content required for availing Make in INDIA benefit is 65%.**

22. Vendor need to submit stamped and signed copy of below documents for Reverse auction:

- a. Reverse auction Guidelines (format enclosed)
- b. Implementation of make in India policy in case of RA (format enclosed)

IMPORTANT INSTRUCTION: -

- Preference to Make in India will be as per the Public Procurement (Preference to Make in India), Order 2017
- The Notice Inviting Tender (NIT)/ the tender requirement of BHEL will not be henceforth published in newspapers. All the concerned are hereby notified that tender enquiries of BHEL will be published on BHEL tender website (www.bhel.com) and Government's Central Public Procurement Portal (<https://eprocure.gov.in/>).
- You are requested to kindly note and refer above website for tender of BHEL.

- Bidder to mention their works address below from where material will be supplied to Site.

Works Address- -----

ALL OTHER TERMS AND CONDITIONS SHALL BE AS PER GTC Rev-1.

(Sign and seal of Bidder)