Purchase (ESP), Materials Management,
Bharat Heavy Electricals Limited,
Boiler Auxiliaires Plant, Ranipet - 632 406, **INDIA.**
(A Government of India Undertaking)

Enquiry No. : ; 4400381E dated 04.09.2020

BIDDERS SHALL CAREFULLY READ THE FOLLOWING ANNEXURE / NOTES (TENDER DOCUMENTS) AND SHALL QUOTE THEIR BEST COMPETITIVE PRICE.

- **Annexure-A for Standard terms & Conditions**
- **Annexure-B for Commercial terms & Conditions which are to be filled in and submitted along with Techno-Commercial bid.**
- **Annexure-C for thickness wise requirement.**
- **Annexure-D for Projectwise requirement**
- **Annexure-E for Unpriced Schedule**
- **The statewise freight rates shall be indicated in Page 02/ 02 of Annexure-E**
- **Annexure-- E for project wise quantity requirement.**
- **Standard Technical Specification TEP:BAP:AL:SHEET Rev 00 dated 08.05.2018 & Quality plan Ref : SQP:ESP:292 Rev 02 dt 11.05.2020 for Enquiry Sl No : 01 as indicated in Annexure D**
- **Quality Assurance plan : BHE/RU/QC/QAP/AL_RM dt 30.09.2015 for Enquiry Sl No : 02 to 06 as indicated in Annexure D**
- **Electronic Fund Transfer Format (EFT) for payment processing**
- **Contract Execution Bank Guarantee format (CEBG) and list of bankers for new vendors as per clause J of Annexure-A**

Integrity pact. (To be filled and submitted along with Techno-Commercial bid)

Tender shall be submitted in two parts as referred in Annexure-A.

- Any revised offer(s) sent by vendors on their own, after the tender opening, will be treated as "unsolicited offer". Such offers will not be considered.
- **All tender documents to be duly signed, stamped and submitted along with techno commercial offer as a token of acceptance.**
- **Bidder eligibility format and Make in India local content declaration format has to be filled and submitted along with Technical bid.**
- **Reference Rate of NALCO Ingot Price (IE07 and IC20)**

Important note :

A) Pre Qualifying criteria

a) The Tenderer should be a Manufacturer of tendered material.

b) 1)Experience and Past performance on similar contracts for last 2 years
2)Capablities with respect to personnel, equipment and manufacturing facilities
3)Financial standing through latest I.T.C.C, Annual report(Balance sheet and profit & loss account) of last 3 years

B. Tenders should be sent in duplicate in a sealed cover. Inner cover sealed with tenderer's distinctive seal and superscribed with correct tender no., item of supply, due date of opening and validity of the offer addressed by designation to Manager / Purchase, Bharat Heavy Electricals Limited, Boiler Auxiliaries Plant, Indira Gandhi Industrial Complex, Ranipet, Vellore District-632406 , Tamilnadu,
India (Please refer Annexure –A for further details)

Suppliers are requested to carefully read the following conditions and give their specific confirmation of acceptance in toto.

1) BHEL reserves the right to verify the information provided by vendor. In case the information provided by vendor is found to be false / incorrect, the offer shall be rejected.

2) Time is the essence of contract

3) In the event of delay on the contracted delivery, liquidated damages (LD) will be levied. LD will be levied at the rate of 0.5 % per week or part thereof on the contract value. The LD ceiling will be 10 %. LD will be a mandatory condition in the purchase order. If no specific confirmation or comments are included in the initial offer by the tenderer, in the event of placement of order, the order will be released with the standard LD condition given above. The condition will be included in the order without any further reference to the offer and no changes will be permissible, post order release In case any bidder is not accepting the above penalty for delayed Supply to maximum of 10%, the offer of that bidder shall be loaded to the extent to which it is not agreed by the bidder

Example : If the Supplier has accepted for maximum 5% penalty clause, then balance 5% will be loaded by BHEL over the supplier quoted price for evaluating lowest bidder.

C. ***MSME status***

As per the public procurement policy notified by the central government, micro and small enterprises quoting within the price band of L1+15% shall be allowed to supply a portion of the requirement up to 20% of the tender value subject to condition that such enterprises bring down their price to L1 price where L1 price is from other than a micro and small enterprise. if L1 offer is from a micro / small enterprise, this provision will not be applicable.in case more than one micro and small enterprise is there within this span, the supply quantity (20%) shall be shared proportionate to the tender quantity. (70:30 or 50:30:20 of the eligible quantity)

Note: Special provision for micro and small enterprises owned by SC or ST: -

Sub target out of 20% (i.e. 4% out of 20%) would be earmarked for procurement from micro and small enterprises owned by the scheduled caste or scheduled tribe entrepreneurs provided that 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 scheduled caste or scheduled tribe entrepreneurs shall be met from other MSE enterprises/s. The MSE concession is subject to condition that latest valid certificate for MSE and ownership is submitted along with the offer duly certified by a practicing charted accountant that the investment in the plant from which the supply would be made is on MSE. Offer/s received without these documents will be treated as non-MSE and order finalization will be done based on this premise. This provision for MSE will apply subject to the condition that the participating MSE meets the other tender requirements.

D. ***GST***

Please indicate your GST Registration No. and HSN Code for each item, dispatching place and state, while submitting your offer.

E. ***E - payment***

BHEL is making payments through e-mode. Suppliers, who have not availed themselves of this facility, can e-mail to Purchase Executives to obtain necessary formats.

ANNEXURE – A to Enquiry No. : 4400381E dated 04.09.2020
OPEN TENDER
FOR RATE CONTRACT SUPPLY OF ALUMINIUM SHEETS (IN COIL FORM) & PLATES
STANDARD TERMS & CONDITIONS
(FOR GUIDANCE TO THE SUPPLIERS)

a)Invitation for bid

Tenders are invited through electronic mode from eligible suppliers of open tenders The offers shall be posted into the system before the date and time specified in the tender. The offer shall be sent on two part bid basis as specified in the main tender document.

Bids shall be submitted through e-Procurement portal, https://bhel.abcprocure.com of M/s e-Procurement Technologies, Ahmedabad who is our solution provider.

b)Hardware and Software requirements for participating in e-tender

Requirement for participating in e-Procurement is as under:

i)A Computer with internet connectivity (Internet Explorer 9.0 (32 bit Browser only) & above)

ii)Digital Signature Certificate (Class 3- SHA2-2048 BIT- with both Signing and Encryption component separately). iii)JAVA (Version 1.8 Update 45).

iv) Steps for Hardware and software configuration is detailed at https://bhel.abcprocure.com/EPROC/ under title "Minimum system requirements and Settings Document for BHEL User and Bidders".

c)Instructions for Registered Suppliers

For all types of tenders (Open) an automated email alert regarding issue of the Tender will be sent by the e-procurement portal to all Suppliers registered with BHEL, Ranipet for the item/s for which the tender is issued.

In case of open tenders, Registered suppliers with registered DSC will have to login with their user id/password & DSC and search for the Open Tender. To participate in event and to submit bid, a bidder needs to agree the terms and conditions.

Registered suppliers without DSC will have get their profiles approved by mapping DSC after login.

To know the procedure for obtaining Digital Signature Certificate (DSC), suppliers who are not having the DSC are advised to visit our website www.bhel.com □Tender Notifications □Sample Checklist. d) Instructions for new suppliers wishing to bid against open tenders

New, unregistered suppliers wanting to bid against open tender/s will have to first register themselves in https://bhel.abcprocure.com as new supplier by clicking the "Register" button.

After entering the Income Tax Permanent Account Number (PAN) details and pressing "Enter", they have to select the respective BHEL Unit for which they want to participate in the Open Tender and also fill up other relevant Company information as a one-time activity. On successful registration, your profile will be approved by the authorized officer and you can login to portal and can participate in the procurement event.

To participate in a tender, you need to login to the portal. You must be an approved registered user. If you are not a registered user, you can register yourself by clicking upon the "Register" link. You need to have a valid vendor code and password to login to the portal. Enter your Vendor code, password and click on Login button after Login, you need to select your digital signing and encryption certificates certificate.The DSC will be approved by M/s e-Procurement Technologies/ Authorised officer of BHEL.

As required by the tender, the necessary documents have to be filled-in online, in the provided template. Additional documents required are to be scanned and uploaded as .pdf file. Suppliers are advised to take note that the maximum space that is provided for uploading the documents that are to be attached is 300 MB. However the size of an individual document cannot exceed 10 MB. For any clarification on submission of offer on line, attention of the Supplier/s is invited to our document "Bidder Manual for BHEL Bidders" hosted in the home-page of the e-procurement portal. During normal business hours, helpline maintained by the service provider M/s e-Procurement Technologies is available for clarifying any doubts of supplier/s. The helpline numbers are +91-79-40270599/508/560/590/513 and email id is: Bhel.Support@abcProcure.com .

Bidder can also refer to "Bidder Manual for BHEL Bidders" hosted in the home-page of the e-procurement portal https://bhel.abcprocure.com.

Typical documents that would be required as part of tender submission would be a) Complete technical Offer with details, catalogues, as applicable.
Un-priced bid (i.e. Bid without the Price) as per given format, if any.
Filled-in BHEL's Standard Terms & Conditions as per Annexure enclosed with the Tender Document,
Deviation summary submitted in two parts – giving the summary of technical deviations separately and the commercial deviations separately, if any and
Supporting documents to substantiate equivalent material specifications / sections, where quoted for.
Where asked for, Client list with their full address including detail of contact person with phone no., fax no. & e-mail ID (if any) to whom the same / similar items are supplied in the past two years. The date of supply may also be indicated, against each client.
Suppliers can also upload their credentials by way of submission of Performance certificate/s issued by their customer/s detailing the quantity supplied and specification along with the un-priced PO copies and proof of supply along with the offer.
Technical acceptance of offer by BHEL shall be based on the evaluation of offer and the submitted documents.
Bidders who are not already registered with BHEL Ranipet are requested to submit the Supplier Registration Form (SRF) online (http://supplier.bhel.in/) for evaluating and registering as an approved vendor. The Supplier Development Cell (SDC) of BHEL, Ranipet would process the SRF for evaluation / registering the Supplier. Don't send hardcopies of SRF to BHEL-Ranipet, only online submission is accepted. This registration process is a separate / parallel activity and do not mix-up with submission offers.
Note
The materials offered, shall conform to the specification and scope attached in the tender.
In case the offered materials are not conforming to the Enquiry material Specification, such offers would not be considered for evaluation and would be rejected.
Where equivalent specifications are offered, considering such offers will be at the sole discretion of BHEL. Wherever alternative standards / specifications are offered by Bidder, the Bidder shall provide sufficient documentary evidence to ensure equivalence to the designated standards / specifications, failing which the offer would be considered as not technically acceptable and hence shall stand rejected.
All taxes and duties payable as extra to the quoted price should be specifically stated in offers (as appearing in the online template).
Offer/s from within India shall be submitted along with the applicable HS Number and the applicable Goods & services Tax (GST) for each quoted item, failing which the purchaser will not be liable for payment of such taxes and duties. Our GST No: 33AAACB4146P2ZL.
The un-priced bid shall be used to indicate relevant commercial terms such as scope of freight and insurance, applicability of duties and taxes etc. All Commercial terms are to be indicated clearly in the offer.
No changes shall be entertained once the bid is opened unless otherwise specifically agreed to in writing by BHEL.
Money values other than for those items appearing in the un-priced bid template shall not be indicated anywhere in the un-priced bid.
Time required for inspection (at Supplier's works), should be clearly given in terms of numbers of working days.
Offers sent by FAX / E-mail: would not be entertained.
Bid should be free from correction, overwriting, using corrective fluid, etc. Any interlineation, cutting, erasure or overwriting shall be valid only if they are attested under full signature(s) of person(s) signing the bid else bid shall be liable for rejection.
Registration process for items required by BHEL is always open at https://supplier.bhel.in. Prospective suppliers (including MSEs & owned by SCs/STs) may visit this site and apply for registration in the respective Unit.
Price Bid in conformance with the specification and terms as given in the Un-Priced bid document.
Caution on submission of pricebids thru EPS:
The suppliers are severely cautioned to note that the price bid document accepts the price in figures only. It does not allow the supplier to write the value by words. Therefore all care shall be exercised by the supplier while filling in the figures. Once the price bid is opened no option is available for the supplier to retract the offer under any grounds. If a supplier, for any reason whatsoever approaches BHEL with a request for change in the price, it would be treated as going back on the offer submitted. In such cases, action would be initiated by BHEL for suspending further business dealings with such suppliers as per policy of BHEL which prevails at that point of time.
Foreign / Overseas suppliers are hereby informed that offers with differential currencies are not permitted for a given tender document.
Note
The price break-up should be in line with technical specification / scope of the tender. (Cost of material, packing charges, forwarding charges, freight and insurance charges shall be shown appropriately, as applicable).

In case, there is a discrepancy in the term quoted in techno-commercial bid and price bid, the term as per the techno-commercial bid (Part I) shall hold good and the commercial term quoted in the Price Bid (Part II) shall not be considered.
In their own interest, all Tenderers are advised to double check their prices, applicable duties and taxes.
The quotation should be valid at least for a period of 90 days from the tender opening date.
Indian Suppliers shall quote on FOR Destination basis only. Destination is BHEL, Ranipet Stores or BHEL Project Site as specified in the tender requirement. Foreign Suppliers shall quote on CFR Chennai
Seaport Delivery and Insurance will be in BHEL's scope. No other delivery terms shall be acceptable.
Where the cargo is containerized, Container washing charges, stuffing charges and / or any other such charges would be to the account of the supplier, where the containers are to be stuffed at the works of the supplier.

A] Submission of Offer
Note
This tender is issued for procurement of Aluminium Sheet and Plates required by various units of BHEL.
As and when requirement arises, the concerned unit of BHEL will place order directly on the supplier against the rate contract.
If BHEL Units other than participated in tender requires material, successful bidder has to supply the materials with concurrence of BHEL/ Ranipet
The materials offered, shall conform to the specification and scope attached in the tender.
In case the offered materials are not conforming to the Enquiry material Specification or such that the offered materials do not match the enquiry, such offers would not be considered for evaluation and would be rejected. Where equivalent specifications are offered considering such offers will be at the sole discretion of BHEL. Wherever alternative standards / specifications are offered by Bidder, the Bidder shall provide sufficient documentary evidence to ensure equivalence to the designated standards / specifications, failing which the offer would be considered as not technically acceptable and hence shall stand rejected.

All taxes/ duties payable as extra to the quoted price should be specifically stated in offers. Offer from within India shall be submitted along with GST No./ HSN Code etc, failing which the purchaser will not be liable for payment of such taxes and duties. The present Rate Contract Enquiry is for supply of Aluminium sheets / plates (valid for period of One year if required contract may be extended upto next One Year) to various units of BHEL (Viz. Trichy, Ranipet, Piping Centre Chennai, Visakhapatnam, Rudrapur, and PEM New Delhi) and to their project Sites at various locations spread across various locations of India and abroad. The respective TIN, CST and ECC/GST Number will be available in the respective Purchase Orders released by the concerned BHEL Units

Wherever there is a discrepancy between the figures and the words, the value as indicated by words shall be taken as the "Price" by the Purchaser. Similarly if there is a discrepancy between the Unit Price and the Value on account of arithmetical error in the computation of the Value (Price x Quantity), only the Unit Price would be taken by the Purchaser for consideration. No corrections would be permitted after the submission of the bids. Error statements should be completely struck out and fresh values given in the offer, which should be signed and attested by the tender submitting authority. Offers without the above may become liable for rejection.

Note
The price break-up should be in line with technical specification / scope of the tender. (Cost of material, packing charges, forwarding charges, freight, insurance charges may be shown appropriately, as applicable).
Price Variation shall be allowed inline with the price variation clause mentioned elsewhere in the tender.
No advance payment will be made by BHEL.
In case, there is a discrepancy in the term quoted in techno-commercial bid and price bid, the term as per the techno-commercial bid (Cover I) shall hold good and the commercial term quoted in the Price Bid (Cover II) shall not be considered.
In their own interest, all Tenderers are advised to double check their prices, applicable duties and taxes.
The Offer should be valid atleast for 90 days from Price bid Opening date.
Offers should be submitted in two sets, one original and one copy.
The offers should invariably contain Signature (ink-signed) & Office Stamp of the Supplier. Any Corrections in the offers should be signed and stamped.
Bidders should submit the prices in Indian Rupees only.
Suppliers shall quote on FOR Destination basis only. Freight charges shall be given separately by indigenous sources only in lump-sum per MT basis state wise as per Annexure- E. The likely quantity state wise is given for the known projects and period as per Annexure – D. In case of multi location suppliers, freight rate state wise may

be given for each location if the supplier wants BHEL to consider dispatches from these locations to enable BHEL to calculate the FOR destination prices. The destinations are the manufacturing units of BHEL located at Trichy, Ranipet, Piping Centre Chennai, Vizag, Trichy, Rudrapur and PEM New Delhi and Project Sites located across the Country . No other delivery terms shall be acceptable.

B] Opening of Offers

Tenders can be submitted up to 1400 Hours on tender opening due date. Part I will be opened on the same day at 1430 Hours. Results of the tender opening will be available for viewing for upto 7 days from the date of opening. Requests by Bidders for extension of due date will not be entertained by BHEL.

Price Bid opening will be done through e-mode / Reverse Auction method (English method) which will be decided after techno-commercial bid evaluation is completed. All tenderers would have to specifically give their acceptance for this in their bid/s.

Note

Bids including all enclosures and supporting documents like catalogues, pamphlets, etc., shall be provided in ENGLISH language only.

In exceptional circumstances, at its option, BHEL may consider extending the due date/s for the tender openings for reasons such as (but not limited to) paucity of offers etc. However, sufficient notice would be given by BHEL for such extension.

Deviations shall be summarized and provided in a "Deviation Statement", listing the points and the deviation against each point.

BHEL reserves the right to increase or decrease the tendered quantity and to order on more than one vendor at the lowest acceptable price to BHEL. In ordering on more than one source, the ratio of quantity split will be as specified in the tender terms.

If not explicitly specified, BHEL reserves the right to split the quantity of the enquiry as follows: 70% quantity being ordered on the original lowest bidder (L1) and balance 30% on the next higher bidder/s excluding H1, who accepts the L1 price. However, the final decision to split the order rests with BHEL only.

In the event that the other than L1 suppliers do not accept the L1 price, then the balance will be reverted to the original L1 and the original L1 shall be bound to accept the balance of the enquiry quantity kept reserved for order splitting. This decision would be given by BHEL within 60 days of the price bid opening.

Notwithstanding the quantum of split that may be indicated in the main body of the enquiry, bidders are advised to note that the splitting of the orders will be decided by BHEL after the evaluation of the technocommercial and price bids.

Offers for part quantities on item level basis are not acceptable to BHEL. While tenderers can quote for some or all the tendered items, no supplier shall quote for partial quantity of any given enquiry item. Such partial offer would not be considered in the enquiry for that item. Suppliers are to note that the evaluation unless otherwise specified will be on item level and not for the tendered items as a whole.

C] Evaluation of Offers

a) The price bids including the impact price (if any) of the technically acceptable offers alone will be considered for the price bid opening.

b) All bidders shall submit their offers by filling-in the format of the BHEL tender documents. Offers received in any other format are liable to be rejected. Offers are asked in BHEL's format for purpose of standardisation - to help in the offer evaluation.

c) Offer with any pre-conditions (like conditional discounts) for price are liable to be not considered / rejected. For evaluation, such conditions would be removed and only the base offer would be considered for evaluation and comparison.

In the event of any change in scope / quantity arising out of the discussions, offerers would be given a chance to submit their revised offer / Impact bids. The option for the revised offer / impact offer will be triggered by BHEL. The Supplier then will have the facility to feed-in the revised price / impact price as per the provision given by BHEL. The impact price can be positive or negative (or nil). The impact price option shall contain only the price addition / deletion for such change in the scope / quantities, over and above the original scope and price quoted. The original price quoted would remain unchanged. The total price would then be computed by the arithmetic addition of the original price and the impact price. Where BHEL gives the option of submitting the revised offer, the impact would be computed as the arithmetic difference of the revised price and the original price.

d) BHEL reserves the right to reject without assigning any reasons / load any offer with factors other than already specified for such offers having deviations to BHEL Specifications, Standard Terms & Conditions at its discretion. The decision of BHEL in this regard shall be final.

e) BHEL reserves the right to reject an offer due to unsatisfactory past performance during tender finalisation / execution of a contract at any of BHEL projects / units or if unsatisfactory performance report is received from the party/s referenced by the supplier at any time during tender finalisation. Firms with whom business dealings are banned by BHEL are prohibited from participating in this tender. Any offer received from "banned" firm/s will be returned unopened.

The government guidelines for extending concessions as per the MSME Act 2006 shall be applicable to eligible indigenous suppliers.

BHEL reserves the right to conduct negotiations on the "Price" and "Other Commercial Terms and conditions with the lowest ranked offerer at any time after the bid opening but before the release of the Purchase Order and the case of indigenous offers, where intra state despatches are made, the applicable GST benefit will be used to arrive at the cost to BHEL. As per the directives issued by the Department of Commercial Taxes, since the purchaser will be penalised including visited with criminal proceedings, in the event of the seller defaulting on the remittance of the GST with the department, BHEL will retain the GST amount payable and shall release the same only after submission of the tax returns (online) submitted by the seller to the department, indicating the invoice numbers of the sale made to BHEL. If this condition is extended to the other States, the above shall apply 'mutatis – mutandis

As and when the requirement arises, BHEL will calculate the cost to BHEL in line with the agreed terms and conditions and orders will be issued on the lowest ranked supplier. In the case of multi location suppliers, while computing the cost to BHEL the most proximate plant location to BHEL destination will be considered for calculating the total cost and the same has to be accepted by the supplier.

Bidders are required to confirm in writing in their techno-commercial document that other than themselves (the bidder) none of its group companies, concerns or affiliates etc., are participating in the tender either directly or indirectly or through any other agency under the same proprietor / common partner(s)/ common Directors. If during the evaluation of the bids it is found that the bidder has submitted the offer in violation of this condition then all the offers received from the group companies would stand rejected. If such relationship is found at a later date where the Purchase Order has been issued, then BHEL would cancel the Purchase Order and initiate suitable action/s under the contract/s including but not limited to invoking the Risk Purchase clause of the order and other applicable legal provisions / guidelines of BHEL including guidelines on suspension of business dealings. (Please see clause L sub-clause c).

) For this procurement, Public Procurement (Preference to Make in India), Order 2017 dated 15.06.2017, 28.05.2018, 29.05.2019 & 04.06.2020 and subsequent Orders issued by the respective Nodal Ministry shall be applicable even if issued after issue of this NIT but before finalization of contract/ PO/ WO against this 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."

Preference to Make in India including counter offering will be as per the Public Procurement (Preference to Make in India), Order 2017 available in the following links https://dipp.gov.in/public-procurements

http://dipp.nic.in/sites/default/files/publicProcurement_MakeinIndia_15June2017.pdf

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

https://dipp.gov.in/sites/default/files/PPP-MII%20Order%20dt%2029th%20May%2019_0.pdf

https://dipp.gov.in/sites/default/files/PPP%20MII%20Order%20dated%204th%20June%202020.pdf

Reverse auction (RA) / on-line bidding on internet:

Decision to go for RA would be taken before floating of the tender. In case it is decided to go for RA, same shall be declared upfront in NIT by inserting the following clause:

"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."

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 philosophy followed for reverse auction shall be English Reverse (No ties).

For the proposed reverse auction, technically and commercially acceptable bidders only shall be eligible to participate.

BHEL will engage the services of a service provider who will provide all necessary training and assistance before commencement of on line bidding on internet.

In case of reverse auction, BHEL will inform the bidders the details of Service Provider to enable them to contact & get trained.

Business rules like event date, time, bid decrement, extension etc. also will be communicated through service provider for compliance.

Bidders have to fax the Compliance form (annexure IV) before start of Reverse auction. Without this, the bidder will not be eligible to participate in the event.

Reverse auction will be conducted on scheduled date & time.

Note: Decision to go for RA or not will be on case to case basis and shall be informed in the NIT conditions.

At the end of Reverse Auction event, the lowest bidder value will be known on auction portal.

The lowest bidder has to fax/e-mail the duly signed and filled-in prescribed format for price breakup including that of line items, to the Service provider within two working days of Auction without fail.

Bidders are be required to read the "Terms and Conditions" section of the auctions site of Service provider, using the Login IDs and passwords given to them by the service provider before reverse

auction event. Bidders should acquaint themselves of the „Business Rules of Reverse Auction", which will be communicated before the Reverse Auction.

If the Bidder or any of his representatives are found to be involved in Price manipulation/ cartel formation of any kind, directly or indirectly by communicating with other bidders, action as per extant BHEL guidelines, shall be initiated by BHEL and the results of the RA scrapped/ aborted.

The Bidder shall not divulge either his Bids or any other exclusive details of BHEL to any other party.

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 their offer. The envelope sealed price bid of successful L1 bidder in RA, if conducted, would also be opened after the RA and the order will be placed on lower of the two bids (RA closing price & envelope sealed price) thus obtained. It is considered that the bidder having submitted their offer specifically agrees to this condition and undertakes to execute the contract on thus awarded rate/s.

If it is found that L1 bidder has quoted higher in the online sealed bid in comparison to the 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, 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)."

The calculation sheet e.g. excel sheet (which will help to arrive at 'Total Cost to BHEL') will be communicated to respective bidders of RA by BHEL. In line with the NIT terms, BHEL will provide the calculation sheet (e.g., EXCEL sheet) which will help to arrive at "Total Cost to BHEL" like Packing & forwarding charges, Taxes and Duties, Freight charges, Insurance, Goods & Services Tax (GST) and loading factors (for non-compliance to BHEL standard Commercial terms & conditions) for each of the bidder to enable them to fill-in the price and keep it ready for keying in during the Auction.]

This calculation sheet will be finalized based on the evaluation criteria specified in the NIT.

Suppliers are required to submit their best price bid in a separate sealed cover along with techno commercial bid. After evaluation of Techno-Commercial Bids:

In case BHEL decides not to conduct RA, the envelope (sealed electronic price bid) sealed price bids of all techno-commercially qualified bidders, along with price impact, if any, would be opened and processed as per extant the internal Purchase/ Works Policy as applicable to BHEL.

In case BHEL decides to conduct RA, business rules of RA will be sent to service provider. (See Annexure for Model General Business Rules of RA.)

12. Generally the start price for the RA would be the lowest of

Lowest envelope (sealed electronic price bid) sealed bid and

Internal Estimate of BHEL

Note: Wherever more than one lowest online sealed bids are identical and lower than the estimate, the start price, would be that price arrived by reducing the lowest online sealed bid by maximum of one decrement.

The start price & bid decrement will be decided by RA committee of BHEL and the same would be communicated to the service provider, to start the bidding process.

Only those bidders who have submitted the 'Process compliance form' duly signed and within the scheduled time would be eligible to participate further in RA process.

RA will be conducted if three or more bidders are techno- commercially qualified . In case of more than four techno commercially qualified bidders , H1 bidder (whose quote is highest in sealed envelope (eps) price bids) will not be allowed to participate in further RA process. However there will be no H1 removal in case , H1 bidder happens to be MSE or qualifying under PPP-MII , order 2017 irrespective of the number of bidder qualifying techno commercially.

In case multiple H1 bidders, all H1 bidders (excluding MSEs and bidders qualifying under PPP- M11 Order 2017) shall be removed provided three bidders remain in fray, else no H1 removal.

If the lowest sealed envelope (eps) price bids is the starting price, then the lowest bidder in sealed envelope (eps) price bids shall be shown as current L1 automatically by the system. System would have the provision to indicate this bid as current L1 for further bidding.

If the start price is lower than the lowest sealed envelope (eps) price bids , on acceptance of such start price by any bidder, this bid would be indicated as current L1 for further bidding.

In case of no further bidding, RA will be deemed to have been successful with current L1 bidder.

All bidders who had given their bids would be able to see their rank and L1 price and their ranking L1, L2 etc. on the screen. Once the RA is done, the ranking status would be based on the last quoted price irrespective of quote received in RA or sealed envelope (eps) price bid.

RA shall be treated as failed in the following scenarios:

In cases where the start price is (a) estimate or (b) one decrement (maximum) lower than the lowest of the online sealed bids and no bidder accepts the start price.

In cases where the number of online sealed bids are less than three.

Wherever, the evaluation is done for individual line items, RA shall be treated as failed only for those line item(s) for which any of the above a) or b) satisfies.

In cases of failure of RA, retendering shall be resorted to without conducting RA in the subsequent tender

Whenever the evaluation is done on total cost basis, after RA, prices of individual line items shall be reduced on pro-rata basis.

In case of splitting requirement, H1 bidder(s) who were removed from participation in RA may also be considered for counter offer if the pre-stated (NIT) number of suppliers do not accept the counter offer. However the principle of splitting to N-1 bidder shall be maintained in line with extant Purchase Policy / Work Policy

In case BHEL decides not to go for Reverse Auction for the tender enquiry, the Price bids and price impacts, if any, already submitted and available with BHEL would be opened as per BHEL's standard practice.

In case of enquiry through e-Procurement, the sealed electronic price bid (e-bid) would be treated as sealed envelope price bid.

Note: In order to bring more transparency and to address any queries of Bidders on Reverse Auction, an abridged version of BHEL's "Common Guidelines for conducting Reverse Auction (RA)" has been hosted in BHEL's web site www.bhel.com under the links "Supplier Registration Page" and "Tender Notification". All Bidders are requested to visit the link and familiarize themselves with BHEL's RA procedures and guidelines before submission of their bid/s. Submission of Bid shall mean that the Bidder

has read and understood BHEL's RA procedures and the bid is in agreement with the same.

D] Execution of the Order

a) BHEL will have the option to pre-inspect the materials at Supplier's works by BHEL's own inspector or by third party agency appointed by BHEL or BHEL's end customer/s **but this does not absolve the Supplier from giving the materials complying to the specifications as agreed upon.**

b) In the case of overseas suppliers Inspection call for carrying out the inspection shall be given 30 days before the scheduled contract delivery date. BHEL requires clear 20 days notice to arrange for inspection. The Inspection date/s given by the Supplier shall be on firm basis. For local Suppliers the Notice period of Inspection shall be 10 working days.

c) Deviations, if any pointed out by the visiting Inspection team of BHEL shall be corrected and the items as per specification shall be dispatched on or before the contract delivery date.

d) The final inspection for acceptance will, however, be carried out at BHEL specified destination.

e) **The contract delivery date is the date of receipt at BHEL Stores/respective sites for suppliers in India, applicable in the case of FOR Destination Contracts.**