

Special terms & conditions for Enquiry no. E3883085

Please refer General terms and conditions of enquiry form no. BP 200102 and P.O. terms & conditions (indigenous) form no. MM 5527, Rev.03. If any deviations, please mention in your quotation otherwise it shall be taken that all terms and conditions are accepted by you.

1. Please quote your best rate through your DSC (Digital Signature Certificate) in our E-Tender system through <https://bhel.abcpocure.com> on or before due date. Paper bid to be not accepted in E-Tender.

2. **Pre-qualification criteria (PQC) :--**

- (1) Suppliers may be OEM / Manufacturer or dealer, reseller, channel partner, distributor, etc.

If the suppliers is not OEM / Manufacturer, then he has to submit Authorisation letter from OEM / Manufacturer.

- (2) Offers of those suppliers will be considered who or their OEM / Manufacturer has supplied at least 14.50 Lacs order of Electrode in any one financial year (April to March) in last 5 years from tender opening date. The relevant PO copies and proof of supplies shall be submitted with tender documents.
 - (3) Average annual turnover should not be less than ₹ 26.25 Lacs of last 3 years ending 31st march of the financial year 2017-18. Audited annual report (Profit & loss account) of last 3 years ending 31st march of the financial year 2017-18 shall be submitted with tender documents.

In case of non-submission of above documents / fulfillment of above PQC requirement, offer shall not be considered for further procurement process.

3. The prices shall be quoted with PVC basis only. **If offer is found on "FIRM" price basis, offer stands rejected.** The PVC formula shall be:

$$X1 = X0 [1 + 0.5 (P1-P0/P0)]^*$$

X1 = Revised price of finished product with price variation clause (rate/number).

X0 = Price of finished product at the time of offer (rate/number)

0.5 = Raw material cost portion of finished product.

P0 = Raw Material Cost / Rate at the time of tender [Rate of steel Wire of *6mm Dia (Rs. 48998 / Metric Ton)]. The rates published in JPC Web on 15-Mar-2019 shall be considered.

P1 = Raw Material cost applicable as on four Weeks Prior to Despatch/Invoice, Whichever is earlier. (The rates published in JPC Web on the date close to one month before the dispatch or invoice date whichever is earlier shall be considered subject to Clause 5 below).

The following Terms and Conditions will be applicable in arriving the PVC formula.

- (1) It is proposed to use JPC steel bulletin which is published in 'NIC' website www.jpcindiasteel.nic.in on fortnightly basis, for basic price of raw material.
 - (2) Basic price of 6mm wire rod as published in www.jpcindiasteel.nic.in as applicable for Mumbai shall be considered. (The website gives price for four cities namely Delhi, Kolkata, Mumbai & Chennai, and hence it is proposed to use raw material rate of Mumbai for all the PVC calculations).
 - (3) PVC formula will be same for all suppliers for all types of electrodes.

- (4) Price variation clause will not be applicable in case of variation in raw material cost up to 5% (plus or minus).
- (5) In case of delivery delays, the PVC shall be restricted to the purchase order delivery date or the actual dispatch date whichever is advantageous to BHEL.
- (6) In case PO delivery date is extended by BHEL, the PVC shall be applicable for the extended delivery date.
- (7) In case of delay in delivery the LD shall be calculated on the PO value including PVC.
- (8) Fortnightly clubbing of dispatches would be done for PVC calculation, since the JPC prices are published once in fortnight only.

* Dia 2.50 mm & 3.15 mm electrodes are drawn from ram material core wire of dia 4.0 mm, dia 4.0 mm & 5.0 mm electrodes are drawn from raw material core wire of dia. 6.0 mm and dia 6.30 mm electrode is drawn from core wire of dia 8.0 mm. For PVC calculation (P0-Raw material Cost/Rate at the time of tender steel wire of 6.0 mm dia is taken as representative size.

Sample Calculation

$$X1 = X0 [1 + 0.5 (P1-P0/P0)]$$

X0 = Price of finished product at the time of offer (rate/number)
Rs.1.00 / Number

P0 = Raw Material Cost/Rate at the time of tender
[Rate of steel Wire of *6mm Dia (Rs. 48998 / Metric Ton)]. The rates published in JPC Web on 15-Mar-2019 = Rs. 48998 / MT.

P1 = Raw Material cost applicable as on four Weeks Prior to Despatch for JPC
(Date of dispatch assumed as on 24.05.2019) i.e 24.04.2019 (Nearest JPC date 16.04.2019) = Rs. 51938 / MT.

$$X1 = \text{Revised price of finished product with price variation clause (rate/number)} = 1.0 [1 + 0.5 (51938 - 48998) / 48998] = \text{Rs. 1.03 / Number}$$

4. PO will be placed on two suppliers:-

PO will be placed on two suppliers in the ratio 60 : 40 %. Counter offer of L-1 HESG rate will be given to other suppliers in order of merit for 40% quantity. If no supplier accepts counter offer rate, this 40% quantity will be given to L-1 bidder.

MSE shall be allowed to supply up to 20% of total qty. as per clause 29-B of General Terms and Conditions of enquiry (In tender, participating MSEs quoting price within price band of L1+15% shall also be allowed to supply a portion of requirement by bringing down their price to L1 price in a situation where L1 price is from someone other than a MSE and such MSE shall be allowed to supply up to 20% of total tendered value. In case of more than one such MSE, the supply shall be shared proportionately. A quantum of 4% out of 20% quantity, so earmarked, will be reserved for MSE's owned by SC / ST entrepreneurs who submit their bid with relevant documents). In this case, ratio shall be 60% : 20% : 20%. If no MSE supplier accepts counter offer rate, ratio shall be 60% : 40% as per above conditions.

5. Terms of Delivery:-

Terms of delivery should be **F O R Destination** on Door delivery basis at CRX, BHEL Bhopal. The same is mentioned in Part – A (Techno-commercial bid) of your offer otherwise it shall be taken FOR destination. Offers on **F O R Destination** on Door delivery basis at CRX, BHEL Bhopal will only be accepted, *if you quote Ex-Works, freight by BHEL or Ex-Works, freight prepaid your quotation will be commercially rejected.*

6. **Quantity variation:-**

Quantity variation $\pm$ 5%.

7. **Tender fees :-**

Suppliers must submit tender document fees of ₹ 500/- (Five hundred only) through online only.

The procedure of depositing EMD/SD/Tender Fees is reiterated below:-

- (i) For depositing amount online, depositor has to open SB-Collect through Online E-Payment option available on Internet (www.bhelbpl.co.in under caption new link).
- (ii) After reading the instruction for depositing the amount; EMD & Tender Fee amount shall be deposited. EMD and Tender Fee may please be deposit together under EMD module where the EMD & Tender Fee both is applicable.
- (iii) After the successful payment DU No shall be generated from the banking system.
- (iv) After depositing the amount, Depositor has to fill Deposit slip available on Internet (www.bhelbpl.co.in under caption new link) by selecting required Enquiry number. Tender Fee and EMD may please be enter separately.
- (v) As and when credit received in BHEL account, automatic mail sent to the depositor

Note: - After submitting the Deposit Slip a control number will be generated through system which can be used for getting print out from the system.

“EMD/SD/Tender Fee will be accepted only in electronic Mode, which can be deposited on line through following link as mentioned below :

<https://www.bhelbpl.co.in/qcins/iccs.htm>

E-receipt must be submitted along with offer.

Without tender fees offer shall be rejected. MSE suppliers are exempted from tender fees.

8. **Payment term:-**

Full payment will be made within 90 days after receipt and acceptance of material in BHEL. For MSE suppliers, payment can be released within 45 days after receipt and acceptance of material in BHEL.

Advance payment is not acceptable in any circumstances. Supplier's offer shall be loaded accordingly, if lower period of credit is offered. Also, Overdue interest (ODI) is not acceptable to BHEL.

Note:- MSE suppliers can avail the intended benefit only if they submit Udyog Aadhaar Memorandum (UAM) along with the offer.

9. **Delivery Period:-**

Please mention your best **delivery period** in your quotation for the lot wise qty shown in enquiry. If not mentioned in your quotation it shall be taken 60 days from date purchase order/ LOI.

10. **Validity of offer:**

Validity of offer must be clearly mentioned in your quotation. If not mentioned, it shall be as taken 90 days from the date of opening of tender.

11. **Liquidated Damages / Penalty Clause:-**

Subject to force majeure conditions, LD shall be 0.5% of the total order value per week of delay or part thereof, subject a maximum of 10% of the total order value. In case of staggered delivery schedule, LD shall be 0.5% of the undelivered portion per week or part thereof subject to a maximum of 10% of the total order value.

Any loading on LD clause shall be to the extent to which it is not agreed to by the bidder (at offered value).

12. **Test Certificate (TC) :-**

Supplier to furnish Test Certificate (TC) at the time of each supply. In case non-receipt of TC with any supply, the supply is liable for rejection. Hence, any deviation for TC requirement be given in your quotation otherwise it is presumed that TC will be furnished with the supply as required.

13. **HSN Code:-**

Kindly mentioned HSN code of quoted item in your offer.

14. **Anti-Profiteering Clause:-**

Any reduction in rate of tax on any supply of goods or services or the benefit of input tax credit shall be passed on to the BHEL by way of commensurate reduction in prices.

15. **Availing Input Tax Credit (ITC) by BHEL :-**

ITC can be availed only when BHEL is in possession of GST tax invoice and after receipt of goods. So, goods should be supplied and Tax invoice should be submitted timely.

Further ITC can be availed only when vendor has declared such invoice in his outward supply Return GSTR-1 and after GST thereon has been paid by him at the time of filling of monthly Return.

GST portion of invoice shall be released only upon:-

- (1) Vendor declaring such invoice in his GSTR-1,
- (2) Receipt of good and Tax invoice by BHEL,
- (3) Confirmation of payment of GST thereon by vendor on GSTN portal,
- (4) Alternatively, BG of appropriate value shall be submitted by vendor which shall be valid atleast one month after the confirmation of date of payment of GST by vendor on GSTN portal and receipt of tax invoice and receipt of goods, whichever is later.
- (5) Above is subject to receipt of goods/service and tax invoice thereof along with vendor declaring invoice in his return and paying GST within timeline prescribed for availing ITC by BHEL.

In case GST credit is delayed/denied to BHEL due to non/delayed receipt of goods and/or tax invoice or expiry of timeline prescribed in GST law for availing such ITC, or any other reasons not attributable to BHEL, GST amount shall be recoverable from vendor along with interest levied/leviable on BHEL.

In case vendor delays declaring such invoice in his return and GST credit availed by BHEL is denied or reversed subsequently as per GST law, GST amount paid by BHEL towards such ITC reversal as per GST law shall be recoverable from vendor along with interest levied / leviable on BHEL.

Payment covering GST portion including interest thereon gets released to vendor only upon completion of above requirement.

16. **Inspection:-**

Inspection will be carried out at BHEL, Bhopal only. However, BHEL will inspect at supplier's works if required.

17. **Un-registered suppliers of BHEL, Bhopal :-**

Suppliers who are not yet registered with BHEL, Bhopal must submit following documents for temporary registration with BHEL, Bhopal along with Part – A (Techno-commercial bid) of your offer:-

- (1) Copy of PAN no.
- (2) Copy of GSTIN No.

RTGS/EFT details as per BHEL format must be submitted immediately after placement of order who have yet not submitted to BHEL, Bhopal. Format of RTSG / EFT detail can be obtained from us or downloaded from link <https://www.bhelbpl.co.in/mm/EFTFormat.pdf>

18. **All the above points must be explicitly confirmed in the "Part A" of offer. If any point not confirmed in "Part A" of your offer, it shall be taken that it is acceptable to you. In case of non-acceptance above points / fail to submit sample / documents as per our tender / specification requirement, your offer may be rejected.**

19. "The Bidder along with its associate / collaborators / sub-contractors / sub-vendors / consultants / service providers shall strictly adhere to BHEL Fraud Prevention Policy displayed on BHEL website <http://www.bhel.com> and shall immediately bring to the notice of BHEL Management about any fraud or suspected fraud as soon as it comes to their notice."

20. For this procurement, Public Procurement (Preference to Make in India), Order 2017 dated 15.06.2017 & 28.05.2018 and subsequent Orders issued by the respective Nodal Ministry shall be applicable even if issued after 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.

Manoj Nilamwar
Sr. DGM (CRX & FSX)
Phone: 0755-2505018