

**Boiler Auxiliary Plant , Bharat Heavy Electricals  
Limited , Ranipet Tamilnadu- 632406**

**Purchase Department**

**Enquiry No : BAP/PUR/UTY/INDUSTRIAL OXYGEN GAS /19 dt.  
14.08.2013**

**Item : Industrial Oxygen Gas in Cylinders.**

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**ANNEXURE-A**  
**TO OPEN TENDER ENQUIRY# BAP/PUR/UTY/Industrial Oxygen Gas/ 19**  
**dt.14.08.2013**

**General Enquiry Terms & Conditions**

1. Offers from indigenous manufacturer (OEM) who satisfy the necessary tender requirements alone will be considered.
2. Tenderers who are not already registered with BHEL,Ranipet , while submitting their offer are requested to fill up The Supplier Registration Form (SRF) attached herein and submit the same along with Technical Offer. Supplier registration Forms are to be duly filled in all aspects and submitted with supporting documents. The offers of bidders who fail to submit the SRF before price bid opening may not be considered for further evaluation. Hence bidders are advised in their own interest to submit the SRF in the first instance itself along with the technical bid
3. Tender shall be submitted in two parts. Part – 1 (in first cover) shall consist of the Technical offer along with all necessary technical annexures, Supplier registration forms duly filled with necessary supporting documents, Confirmation to prequalification requirement (PQR) (available in Annexure-A) with supporting documents, copy of the unpriced bid format and filled commercial terms and conditions (available in Annexure-B). Part – 2 (in second cover) shall consist only of the price bid. Both bids shall be submitted in separate covers sealed and superscribing Enquiry No., Due date and Technical Bid / Price Bid.
4. This enquiry shall be subject to jurisdiction of the Courts at Ranipet, Vellore District, Tamilnadu.
5. 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 and necessary action as deemed fit will be taken by BHEL on those vendors. Hence, competitive offer shall be given in the original offer itself.
6. Tender 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 Manger / Purchase, Bharat Heavy Electricals Limited, Boiler Auxiliaries Plant, Indira Gandhi Industrial Complex, Ranipet, Vellore District – 632406, India.
7. Unpriced Bid (Price bid without price) is to be submitted along with Technical Offer.
8. **Authorization Letter:** Such of those tenderers who wish to participate in the Tender Opening, should attach an authorization letter which shall be duly signed and stamped in original, identifying the representative to be deputed for tender opening

9. BHEL wishes to finalize the purchase through Reverse Auction (RA). General Terms & Conditions for Reverse Auction are attached herein.

### **PRE QUALIFYING REQUIREMENT (PQR) FOR VENDORS SUPPLING OXYGEN GAS**

The vendors are required to meet the qualification requirement for supplying oxygen gas as per criteria stipulated below.

1. The vendor must be a manufacturer of Oxygen gas.
2. Supplier must be able to give to BHEL minimum of 600 numbers Oxygen cylinders of 47 liters water capacity ( 47 liters of water capacity only ) duly fitted with Valve Guard for Holding.
3. Supplier must be able to supply daily 70 numbers to 120 numbers filled oxygen gas cylinder confirming to IS309 latest revision
4. Supplier must be able to ensure that their vehicle reaches to BHEL East gate on or before 09.30 hrs daily.
5. Supplier must have the experience of minimum supply of 70 numbers filled Oxygen gas cylinders confirming to IS309 at least 20 days in a month and 50 days in Three month durations from the date of tender floating. Supply Proof to be attached along with technical bid.

### **GENERAL TERMS AND CONDITIONS OF REVERSE AUCTION**

1. For the proposed reverse auction, technically and commercially acceptable bidders only shall be eligible to participate.
2. 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.
3. BHEL will inform the vendor in writing, in case of reverse auction, the details of service provider to enable them to contact and get trained.
4. Business rules like event date, time, start price, bid decrement, extensions, etc. also will be communicated through service provider for compliance.
5. Vendors have to fax the compliance form in the prescribed format (provided by service provider) before start of Reverse auction. Without this the vendor will not be eligible to participate in the event.
6. BHEL will provide the rate schedule (e.g. EXCEL sheet) for the vendor to enable them to fill-in the price and keep it ready for keying in during the auction. In the event of discrepancy in rate and amount against any item of work, the least of the two will be taken for bid price. In case of discrepancy between the total price indicated in price bid and the arithmetic sum arrived based on rate quoted, then also the

least of the two will be taken for the bid price. The bids are compared on the total price quoted and NOT on individual ITEM of works.

7. Reverse auction will be conducted on scheduled date & time.

8. At the end of reverse auction event, the lowest bidder value will be known on the network.

9. The lowest bidder has to fax the duly signed filled-in prescribed format as provided on case-to-case basis to BHEL through Service provider within 24 hours of auction without fail.

10. Opening bid in reverse Auction: The opening bid (in the reverse Auction) of the bidders shall be same as that quoted in their final sealed price submitted to BHEL (along with Technical offer). The bidder shall confirm in writing to BHEL that their opening bid (in reverse auction) shall be same as that quoted in their final sealed price bids submitted to BHEL against this NIT along with Technical Bid (Part-1). If any bidder offered a unsolicited discount or rebate, in separate cover etc. in any place other than the sealed price bid, then the opening price bid in reverse auction, by such a bidder in Reverse Auction, shall be the price offered in final sealed price bid submitted (against this NIT) minus discount offered in any place other than the sealed price bid.

11. BHEL reserves the right to cancel Reverse Auction (RA) without assigning any reasons and resort to considering the sealed bids submitted by vendor for processing and finalizing the tender.

12. In case the process of reverse auction is found unsuccessful by BHEL, then BHEL at its discretion may decide to call the L1 bidder of reverse auction for further negotiation.

13. Any variation between the on-line bid value and signed document will be considered as sabotaging the tender process and will invite disqualification of vendor to conduct business with BHEL as per prevailing procedure.

14. In case BHEL decides not to go for Reverse auction procedure for this tender enquiry, the Price Bids and price impacts, if any already submitted and available with BHEL shall be opened as per BHEL's standard practice.

15. Only those vendors, who participate in the Online Initial Opening Bid, will be eligible to participate in the subsequent Online English Reverse Auction.

16. Price bids offered by the bidders during reverse auction process is considered as an offer to execute the work. Bids once made by a bidder cannot be cancelled/withdrawn and bidders shall be bound to execute the work at the final bid price. BHEL shall take appropriate action if the bidder fails to do so.

17. Cancellation of RA: Even where BHEL has specified Reverse Auction as the mode of competitive bidding in the tender enquiry, BHEL reserves the right to cancel the RA and go in for competitive sealed price bidding. In that event, BHEL would intimate the acceptable offers of the same in writing. The decision of BHEL to replace RA with competitive sealed bidding would be final and would be binding on all the technically qualified bidders. Such decision would be communicated to the technically successful bidders and BHEL is under no obligation to assign any reason for changing the mode of bidding from RA to sealed cover competitive bidding. It shall be presumed that all bidders participating in this tender have read this condition and have accepted this, in submitting their offer. Bidders would then given an opportunity to submit their reduction impact price bid if any, in sealed cover, which would be considered

together with the price bids submitted along with the original/technical offer and other impact price bids if any arising out of changes in the technical scope. In case tenderers choose not to offer any reduction impact, then they would have to submit a statement to that effect, also in a sealed cover for opening along with price bids.

### **MSME STATUS – Applicable only for Indian Suppliers**

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 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 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 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.

Such of those Suppliers who are already registered with BHEL, Ranipet as an MSE and whose registration is valid on the date of the tender opening (technical bid opening date in the case of two part bid) will be considered as eligible for the above concession.

(Note: The details of the registration such as the name of the chartered accountant / firm that has certified for the MSE status, the date of the certification and the date of receipt of the certificate by BHEL, Ranipet are available in the web-site: <http://bapscm.bhelrpt.co.in/purc>)

In their own interest the registered Bidders are advised to check the current status of the validity of the registration, which is one year from the date of the certification by the Chartered Accountant before submitting their Bid document/s. In the event that on the date of the tender opening the registration is not valid, then the Supplier will be treated under non-MSE category for this tender.

In case the validity of the registration has expired and if the Bidder wants to be considered as an MSE then, the Supplier shall submit the necessary certificate from a chartered accountant certifying the status of their Unit / Works clearly specifying the address of the works which is to be considered as MSE and send the same to BHEL, Ranipet either before the tender opening date or as a part of the tender document. If the offer is accompanied with the certificate, then the Bidder would be considered as an MSE. If the certificate is sent separately BHEL will not be responsible for any postal / courier / delivery delays and the status as on the date of the bid opening as available with BHEL Ranipet's records shall be used for reckoning the status of the Bidder as an MSE or otherwise.

Offer/s received without these documents will be treated as non-MSE and order finalization will be done based on this premise.

Documents submitted after Bid-opening will not be considered in this tender.

This provision for MSE will apply subject to the condition that the participating MSE meets the tender requirements.

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, Ranipet 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.

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 the tendered item being a system etc. then BHEL would not counter offer the L1 prices even though there may be MSE bidders within the +15% band of L1.