



COMMERCIAL TERMS & CONDITIONS OF TENDER

Enquiry No. & Date: 88/13/6029/NM

**Project: CIVIL WORKS FOR SWITCH YARD FOR BALANCE OF PLANT HEP
PSPCL MUKERIAN PUNJAB**

SI No	Clause	Description	Contractor's Acceptance/Remarks/(Yes/No)
1.0	Scope of work	<p>Civil works for mukerian hydel project stage II 2 X 9000 KW,66 KV switch yard at hoshiarpur Punjab.</p> <p>All civil works (excluding land development and boundary wall) shall generally include, but not limited to Tower and Equipment foundations, Cable trenches including precast covers & cable trench crossings, Fencing and Gates, Transformer Foundations, Fire wall, Stone spreading including anti weed treatment, Any other work required for the project, Foundation bolt supply for all towers and equipment, Final dressing and grading, also includes material receipt ,proper storage & security, supply of material (As per details mentioned in technical specific /scope).</p>	
2.0	Price basis The price shall be firm throughout the period of the contract and extensions thereof, if any.	<p>Unit Price quoted shall be FIRM inclusive of all taxes and duties without service tax till completion of job. Price includes Erection, supply of all miscellaneous erection materials, labour, tools & tackles, loading, transportation charges up to site of erection from stores, leads, lifts, water and electricity charges, royalties etc and taxes and duties, WCT, BOCW license fees, statutory obligations, (except service tax for works, which will be reimbursed against documentary evidence, as indicated in the price bid.)</p> <p>WCT to be included in price. Please indicate the WCT percentage considered.</p> <p>TDS shall be deducted as per IT rules.</p> <p>Price evaluation: will be on total price excluding service tax & including WCT.</p> <p>Quantity mentioned in BOQ is tentative.unit rate shall be valid for item wise variation in quantity and also for the total variation in value of work(+/-)30%.</p>	
3.0	Payment Terms, mode of payment &	<p>A. 90% payment based on duly certified RAB by BHEL/RM on completion of erection activity on prorata basis as per approved billing break up. The contractor shall submit the RAB along with following</p>	



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	method of measurement.	documents duly certified by BHEL Site Engineer. 1) Attendance sheet of personnel deployed at site for the period of billing. 2) Wage sheet of personnel deployed with deduction towards PF,ESI etc. 3) Supporting documents towards proof of remittance of PF & ESI contribution for the workmen. 4) ESI/Workmen compensation Insurance policy for the workmen with validity period. B. Balance 10% shall be paid after successful completion of the contract and acceptance by BHEL.	
4.0	Type of Contract	UNIT RATE	
5.0	Contract Period	7 Months from date of front availability or Issue of LOA whichever is later. NOTE : The contractor shall strictly adhere to 'L2' schedule. In case of non compliance to agreed schedules / milestones, then it would be presumed that contractor is not fulfilling contractual obligations. BHEL reserves the right to take suitable action like operating "Risk & cost clause". In case the work gets delayed and scheduled completion gets extended due to reasons not attributable to the contractor, time extension will be granted by BHEL without any price implication(If service tax rate changes during the extension period the revised rate will be applicable).	
6.0	Liquidated Damages (Compensation for Delay)	0.5% per week delay from the cutoff date for maintenance activity limiting to 7.5% of the total order value as per the clause 41 of GCC.	
7.0	Security Deposit	(Rs.4.00 Lakhs + 5% of the amount exceeding Rs. 50 Lakhs).	



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8.0	Insurance	<p>a) By the contractor for his workers, tools & tackles, workmen compensation insurance. The contractor shall also take third party insurance liability for a value of Rs.10.00 Lakhs subject to Rs. 1.00 Lakhs per occurrence and Rs.5.00 Lakhs for death.</p> <p>b) In case of theft or loss of materials from the temporary stores or from the erected equipments(till handing over of erected equipment to customer) – coordination with local police, authorities, lodging the FIR & obtaining the receipt for the same and coordination with the insurance agencies, are in contractor's scope.</p> <p>c) For all the equipments, the insurance is by BHEL.</p>	
9.0	Labour Laws	<p>The contractor shall follow all the labour laws including BOCW act as applicable at the place of work PSPCL, Mukerian, Punjab state including payment of minimum wages fixed by the Government of Punjab state and should have valid license to work. (This is precondition for finalization of the contract).</p>	
10.0	Risk & Cost	<p>As per the risk & cost policy, if the contractor fails to render the services, tools and tackles or failed to carry out the job in time specified under their scope, BHEL will get the job done at the risk & cost of the contractor. The actual cost incurred for such jobs along with the departmental charges @ 15% will be recovered from the contractor 's bills.</p>	
11.0	Arbitration	<p>Subject to Bangalore jurisdiction only based on Indian Arbitration Act 1996.</p>	
12.0	Earnest Money Deposit (Value is as per Clause 16 of chapter – III, page 11 of 52)	<p>Rs.1,50,000/- by DD payable to BHEL-ISG, Bangalore. BG is not acceptable. (Please ignore the BG format available in GCC).</p>	
13.0	Validity	<p>90 days from the date of opening the tender for the finalization of order/reverse auction.</p>	
14.0	Proposed organization chart .	<p>Proposed organization chart for carrying out civil works giving details of proposed manpower comprising of Engineers, Supervisors, Operators, skilled and unskilled work planned for the execution of the job and with their experience shall be enclosed. To be furnished by the contractor</p>	



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		along with the Technical Bid offer.	
15.0	Submission of Income tax return acknowledgment/certificate for the previous years.	As per pre-qualification criteria. To be furnished along with offer.	
16.0	Experience in executing major works in the last years with supporting documents.	Pre-qualification criteria given along with Tender specification to be referred and all the mandatory information have to be provided as part of bid for acceptance of vendor.	
17.0	Tools & Tackles, Instruments, Material handling equipment, Power & Water requirement	By the contractor (To be listed in the offer)	
18.0	Rejection of Offer	BHEL reserves the right to reject the offer, in case past performance of the bidder in any of BHEL's previous contract is found not satisfactory.	
19.0	Credentials of the firm	To be enclosed along with the offer. Refer Pre-qualification criteria of Tender specification No.IS-1-04-2003/025.	



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20.0	Receipt unloading, Storage and transportation of material from storage to location of installation.	<p>By bidder. Necessary manpower, tools, material handling equipment etc for carrying out these activities will be made available at site by the bidder.</p> <p>Receipt, Unloading, Storage and transportation from Stores to location of construction shall be in the scope of bidder. (Within Site premises). No separate payment term is allowed for this activity.</p>	
21.0	Consumables for civil works	<p>All consumables required for completion of said works shall be included in the bidder's scope.</p>	
22.0	Labor license	<p>By the bidder. Bidder should have valid license to work in Punjab state, if not the same should be produced within one month on award of the contract.</p>	
23.0	Reverse Auction	<p>BHEL reserves the right to go for Reverse Auction (RA) instead of opening the sealed envelope price bid, submitted by the bidder. This will be decided after techno-commercial evaluation. All bidders to give their acceptance 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.</p> <p>In case BHEL decides to go for Reverse Auction, only those bidders who have given their acceptance to participate in RA will be allowed to participate in the Reverse Auction. Those bidders who have given their acceptance to participate in Reverse Auction will have to necessarily submit "online sealed bid". in the Reverse Auction. Nonsubmission of online sealed bid. by the bidder will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines in vogue."</p>	
24.0	Other works in scope of contractor	<ol style="list-style-type: none">1) All material handling equipments like cranes, fork lifters, tripods etc required for the completion of the work.2) Providing of tarpaulins & covering materials as required for protection of materials at temporary storage place.3) 24 hrs Security for the temporary stores, at the temporary storage place & for the erection equipments.4) Good housekeeping of work area & maintaining the stores of BHEL ISG	



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		in a neat & clean manner.	
25.0	All other terms & conditions	As per our tender enquiry & GCC & HSE	

signature of the Contractor with seal & Date.

Note: All the above columns are to be filled up by the contractors. **Deviations will not be accepted by BHEL.** No Prices to be filled up in this format. All Prices are to be filled up only in the enclosed price bid. Tenders are to be submitted in three parts. Part – A : Technical & Commercial bid and Part – B : Price Bid. Part-C EMD.

Prepared by

Checked & Approved by

ANINDYA SUNDAR MANDAL

Mallikarjuna N

Engineer-MM-BG II

sr.DGM-MM-BG II



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IMPORTANT POINTS TO BE CONSIDERED WHILE PRICING THE OFFER

1. The complete scope of work is defined in the tender.
2. The contractor should visit the site by taking prior permission and study the site condition thoroughly and estimate the price. Submission of offer is deemed that contractor have visited and fully clear about the scope.
3. All pages should be sealed & signed.

Sub: Refund of EMD

With reference to your tender enquiry No. 88/13/6029/NM, We have deposited Rs..... (Rupeesonly), towards EMD by Demand Draft Bearing No: _____ from Bank: _____

In case we become the unsuccessful tenderor, we request you to kindly refund the EMD at the earliest.

Thanking You,

Yours faithfully,

Seal and Signature of the contractor.