

TERMS AND CONDITIONS OF OPEN TENDER ENQUIRY FOR PROCUREMENT OF PLAIN
ALUMINIUM SHEETS

ENQ NO: PC 4201300008

DT: 09.01.2013

BHEL : PIPING CENTRE : CHENNAI – 600 017

A. IMPORTANT INFORMATION TO BIDDERS

1. This Tender is an Open Tender. Bids are to be submitted in **TWO PARTS**.
2. Type and quantum of work for Chinese and Non-Chinese vendors are detailed separately in "SCOPE OF WORK".
3. The quoted price shall be "FIRM" till the complete execution of the scope, from the date of LOI / P.O.
4. Last date for submission of Bid **30.01.13 - Time - 14.00 Hours**.
5. Techno-Commercial Bid Opening Date **30.01.13 - Time - 14.30 Hours**.
6. Tender shall be processed through Price bid opening. However BHEL reserves the right to go for "Reverse Auction" instead of sealed tender bid which will be decided after technical cum commercial bid evaluation.
7. Bidders shall submit the Bid in English language (a single envelope containing two inner envelopes) as indicated below:

Envelope I:

This sealed envelope should contain:

- Point by point confirmation for Eligibility criteria as per Para C to be given in Checklist, Annexure D (All required documentary proof as called for to be furnished).
- Point by point confirmation / acceptance to our Techno-Commercial terms as per Para D to be given in Checklist, Annexure B
- Vendor's Catalogue
- Unpriced bid (copy of the Priced Bid without the price details).

This envelope should be clearly marked "Part I - Technical and Un-priced commercial bid, indicating Enquiry No., Due Date, Address & Reference of the Bidder.

Envelope II:

This sealed envelope should contain price details. Indigenous vendors shall submit their bids in the price break up format given in Annexure E. This envelope should be clearly marked "Part II - Price bid", indicating Enquiry No., Due Date, Address & Reference of the Bidder.

The Bid, sealed and superscribed as "Parts I & II inside" indicating Enquiry No., Due Date, Address & Reference of the Bidder should reach this office on or before the due date by 14:00 Hrs (IST). BIDS RECEIVED AFTER 14:00 Hrs (IST) WILL NOT BE CONSIDERED FOR EVALUATION.

8. The above bid shall be sent in a sealed cover duly indicating **Enquiry No. & date, Tender Opening date** and "**PLAIN ALUMINIUM SHEET**" to

**MANAGER / PURCHASE
BHEL - Piping Centre
Old No 93, (New No: 80) G N Chetty Road
T. Nagar / Chennai 600 017.
PHONE: 28161319 / 28161334**

9. Only the vendors who meet the eligibility criteria as per Para C shall be considered against this tender.

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B. SCOPE OF WORK :

BHEL requires the below mentioned quantity of PLAIN ALUMINIUM SHEETS conforming to IS737/19000H2 and to be delivered to various sites.

I) LIST OF ITEMS FOR *NON-CHINESE VENDORS* (Refer A.1 of Annexure A)

Sl.no	DESCRIPTION	Quantity in Kgs
10	PLAIN ALUMINIUM SHEET 0.711 MM Thk IS737/19000H2	75,163
20	PLAIN ALUMINIUM SHEET 0.914 MM Thk IS737/19000H2	1,58,472
30	PLAIN ALUMINIUM SHEET 1.20 MM Thk IS737/19000H2	1,00,809
	TOTAL QTY:	3,34,444

Preferable Width of the Plates – 1000 mm

Total Weight in MT= 334.444 MT

II) LIST OF ITEMS FOR *CHINESE VENDORS* (Refer A.2 of Annexure A)

Sl.no	DESCRIPTION	Quantity in Kgs
10	PLAIN ALUMINIUM SHEET 0.711 MM Thk IS737/19000H2	69,499
20	PLAIN ALUMINIUM SHEET 0.914 MM Thk IS737/19000H2	1,38,086
30	PLAIN ALUMINIUM SHEET 1.20 MM Thk IS737/19000H2	52,827
	TOTAL QTY:	2,60,412

Preferable Width of the Plates – 1000 mm

Total Weight in MT= 260.412 MT

C. ELIGIBILITY CRITERIA

I) GENERAL CONDITIONS:

- a. Firm should have been in continuous business for the past 5 years.
- b. Firm should have made an average turnover of minimum Rs. 10 Crores during the last 3 years.
- c. Firm shall be regular manufacturer of Aluminium sheets for the sizes indicated in the enquiry to be supplied in coils. Experience details containing Customer name, size & quantity, month and year of their supplies relevant to enquired size and specification shall be furnished with Customer contact details to verify the performance of the firm.
- d. Firm shall have valid ISO 9001 certification.
- e. Firms referred to BIFR or firms having strictures / hold by any other Government agencies will not be considered (applicable for Indigenous sources). All import sources shall provide D&B report on financial soundness.
- f. Re-Rollers are NOT eligible to participate in this tender.

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II) TECHNICAL:

Firm shall meet IS737/19000H2 specification.

Documentary proof supporting the above requirement should be submitted along with the techno-commercial bid.

Bidders meeting the above eligibility criteria (General and Technical) will only be considered for further evaluation of commercial and price bids.

All indigenous and import Firms (who are new and are not registered with BHEL Piping Centre) shall additionally fill-in Vendor registration forms (downloadable from BHEL website – www.bhel.com>> supplier registration) and submit along with documents called-in.

D. COMMERCIAL TERMS:

The bidders are requested to furnish their acceptance / confirmation to each of the below mentioned commercial points in their Techno-commercial Bid.

1. Delivery:

Supplies shall be completed by 24.03.2013 at Project sites. The Bidder shall strictly confirm to our delivery requirement.

Delivery is the essence of the Contract/ PO. BHEL may accept or reject the bid if delivery is not as specified, or if offered delivery is not suiting Project Plan/ Production plan as per BHEL.

BHEL has the right to order partly or fully considering the various requirements.

BHEL may short close/cancel an order or divert to another vendor if the performance of the vendor is poor, or the delivery requirement of the item is very critical and not being met, at any time during the currency of the Contract/PO irrespective of the PO Delivery date, if there is no response for improvement in delivery as per BHEL requirement.

BHEL may counter offer the final L1 rate to other eligible vendors for acceptance and decide to distribute the Purchase orders fully or partly to the accepting vendors for ensuring deliveries meeting production/ project requirement. BHEL decision will be final in this regard.

BHEL has the right to reject delayed deliveries or accept on a conditional basis.

2. Terms of Delivery:

Foreign Bidders shall submit their bid on CIF/Chennai sea port basis only. Inland transport from the port of discharge upto Trichy stores / Project sites will be included in our evaluation statement for price comparison. Additional Taxes and Duties will be added and compared with the Indigenous Vendors, as applicable.

Indian Bidders shall submit their bid on FOR Destination site basis (inclusive of risk in transit) clearly giving break up of basic price (Ex works) and freights to respective project sites separately. Apart from involved project sites, **Freight to BHEL Trichy Stores** shall also be furnished.

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Percentage of applicable Taxes, Duties, CESS, Service Tax on Transportation etc shall be clearly indicated. Applicable taxes (CST / VAT) against each project shall be clearly indicated. No change in taxes will be entertained after price bid opening. Service Tax, if included in Freight or extra, shall be clearly indicated. Proof for the Payment of Service Tax shall be produced for the reimbursement of same.

3. Bids shall be free from CORRECTION AND ERASURES, Corrections if any, must be attested. All amounts shall be indicated both in words as well as in figures. Where there is difference between amount quoted in words and figures, the lesser amount shall prevail.

Note: Bidders are requested to submit their bids only through sealed bids. As the part II (priced bid) will not be opened before the technical evaluation is completed, bidders are requested not to submit their bids through email/fax etc.

4. **Validity:**

Bidder shall give a minimum validity of 60 days from the date of Technical bid opening.

5. **Price:**

All items should be quoted on "Per Metric Tonne basis ". **Prices quoted shall be kept firm during execution of full supply from the date of issue of LOI / PO and no price variation clause is acceptable during execution. Due to nature of the product PVC till the time of ordering (issue of LOI/PO) would be acceptable based on NALCO's ingot's prices.** Prices shall be written in words and figures. In the event of any discrepancy with regard to total price and unit price whichever is less shall be considered correct. **RATES QUOTED SHALL BE INCLUSIVE OF ALL CHARGES INCLUDING PACKING. NO EXTRA PAYMENT WILL BE MADE IN ANY CASE.**

Price bids of the Techno-commercially rejected bids will not be considered.

6. **Bid currency:**

Indian bidders should submit the prices only in Indian Rupees. Foreign bidders may submit their bid in their preferred currency. For the evaluation purposes the exchange rate (TT – Selling Rate of SBI) on technical bid opening date will be considered.

7. **Taxes and Duties (for Indian Bidders only) :**

All Taxes and Duties payable as extra to the quoted price should be specifically stated in their bids along with CST & TNGST No / Tariff No. etc., failing which the purchaser will not be liable for payment of such Taxes and Duties.

The duplicate copy of the invoice meant for transporters should accompany the material as stipulated under Central Excise rules 52A and 173C or 57gG. A Photostat copy of the invoice for each delivery challan should be submitted along with the original bills directly to BHEL finance department.

8. **MODVAT Credit (for Indian Bidders only).** If any Excise Duty is payable, the chapter head / sub-head reference and the rate of the duty should be quoted. If the bidder is availing MODVAT credit for this input material, the effect of proforma credit should be passed on to the purchaser.

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9. Terms of Payment: No advance payment shall be made by BHEL.

Indian Bidders - The preferable payment term is 100% payment after 45 days against Site acknowledged LR. As per policy, LC will not be operated.

Foreign Bidders - Cash against documents - Payment will be made after 45 days from the date of submission of complete set of documents as specified in the PO at our bank.

Requests for LC will be loaded at 1.5% of the basic charge.

Documents required for payment:

- Bill of Lading
- Invoice
- Packing list
- Country of origin certificate
- Inspection report
- Test Certificate / Compliance certificate
- Performance Bank Guarantee

10. BHEL prefers the manufacturers to quote directly. In case this is not possible and the bid is being submitted by an Indian agent, the following details are to be furnished along with the bid:

- a. The letter from their Principal authorising the Indian agent to submit the bid on their Principal's behalf. In case the Indian agent submits bid on their own letter head then a covering letter (in original) from the Principal should be enclosed, clearly mentioning that they are bound by the bid submitted by the Indian agent on their behalf.
- b. Precise relationship between foreign suppliers and their Indian agents and their mutual interest in business, should be clearly spelt out.
- c. Any payment, which the agent receives in India or abroad, from the foreign supplier, whether as a commission or as a general retainer fee is to be mentioned in the bid.
- d. All services to be rendered by the agent, whether of general nature or in relation to the particular contract, must be clearly stated by the foreign supplier and the Indian agent.
- e. The amount of agency commission agreed to between the foreign principal and the Indian agent should be specifically disclosed and the agency commission will be paid in Indian Rupees only on satisfactory completion of the contract.
- f. For calculation of rupee equivalent of agency commission, exchange rate as prevailing on the date of order will be taken.
- g. Copy of current agency agreement is to be enclosed without which the bid is liable for rejection.

11. Performance Bank Guarantee (PBG): The Bidder, in the event of an order, should furnish a Performance Bank Guarantee from any one of the attached list of consortium banks or counter-guaranteed by any one of this list of banks, at no extra cost in BHEL's Performa which will be provided by BHEL along with the order, for an amount equivalent to 10% (Ten percent) of the value of the contract. The Bank Guarantee should remain in full force and effect during a period of 24 months from the date of dispatch or 18 months from the date of commissioning whichever is earlier.

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12. Liquidated Damages:

If the supplier fails to deliver the fittings within the period specified in the contract the purchaser shall deduct Liquidated Damages, a sum equivalent to **0.5%** of the price for each week of delay up to a maximum of **15%** of the price of delayed/undelivered portion.

LD, if applicable, will be levied from the order delivery date to the date of Bill of lading/LR in case of CFR/FOR contracts and to the date of the inspection clearance in case of FOB/Ex-Works contracts. Grace periods are not acceptable.

13. Risk Purchase:

Alternatively the purchaser at his option will be entitled to terminate the contract and to purchase elsewhere at the risk and cost of the seller either the whole of the goods or any part which the supplier has failed to deliver or despatch within the time stipulated as aforesaid or if the same were not available, the best and the nearest available substitute therefore. The supplier shall be liable for any loss which the Purchaser may sustain by reason of such risk purchases in addition to penalty at the rate mentioned under liquidated damages.

14. The correspondence between the bidder and BHEL through email is considered to be valid document legally though not signed. It is treated as valid confirmations made on behalf of the respective company and comes under the legal ambit of the business transaction and hence binding on both the parties.

15. Bidders participating in the tender should declare in their technical bid whether they have been black-listed / kept on hold / given Business holiday for a specified period by any Public Sector Undertaking or Government Departments. The reasons for such action with details and the current status of such hold shall be clearly furnished to BHEL. If no such details are mentioned in the bid, it will be construed that the bidder is not under any such hold. However, at a later date if it comes to the notice of BHEL about any such hold under enforcement, BHEL reserves the right to reject the bid at any point of time and also under any stage of the finalisation of the tender. Such bidders will not be permitted to participate in the further tender proceedings and will be communicated suitably.

16. Packing and Marking:

The Supplier shall arrange for securely protecting and packing the material to avoid loss or damages during transit.

17. BHEL reserves the right to negotiate L1 rate or re float the tender opened if L1 price is not the lowest acceptable price to them inter-alia other reasons.

18. Any other conditions which might have been quoted by the seller and are in contravention to the terms prescribed in the order and which have not been specifically accepted in by purchaser will not be applicable to the contract.

19. BHEL/End customer reserves the right to inspect the item ordered at any stage at vendor's works.

20. Acceptance of TC before despatch is must.

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21. Date of price bid opening/Reverse Auction will be informed later after acceptance of bid on technical ground.
22. Bidders are to confirm to all the above points in their "Technical and unpriced commercial bid". In case of incomplete/inadequate information provided against the requirements of this tender, the bid shall be liable for rejection.

E. LIST OF DOCUMENTS ENCLOSED :

- ANNEXURE A: Projects with quantities indicated size wise
- ANNEXURE B: Terms & Conditions
- ANNEXURE D: Checklist for Eligibility criteria
- ANNEXURE E: Price Break Up for Indigenous vendors
- Performance Bank Guarantee Format

The above documents form part of this tender document and bidder shall ensure that they have received all these along with the tender and confirm.

Contact details of BHEL/Piping centre/Purchase:

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