

**Following clauses of General Terms and Conditions (BHEL/TBG/GTC/02-07) are to be read as follows:**

**Clause 1:**

Quotations through e-procurement mode only are invited for the items mentioned in the enquiry. Offers will be evaluated online through e-Procurement System only. Bidders shall submit their response online only on e-Procurement platform at <https://bheleps.buyjunction.in>.

**NOTES:**

1. **OFFERS RECEIVED THROUGH E-PROCUREMENT MODE SHALL ONLY BE CONSIDERED.**
2. **NO OTHER MODE OF OFFER SUBMISSION ACCEPTABLE.**
3. **OFFERS RECEIVED THROUGH ANY OTHER MODE WILL NOT BE CONSIDERED.**

Foreign and indigenous vendors participating in tender (Through E-procurement system) will necessarily have to buy Class-III digital certificates (DSCs) issued by certifying agencies in India.

Procedure of obtaining DSCs can be down loaded from Important Links on link [http://www.bhel.com/tender/tender\\_home.php](http://www.bhel.com/tender/tender_home.php) or may be obtain from concern executive through email request.

Successful bidder shall be responsible for completion of the contract in all respects.

Techno commercial offers shall be opened through the E-Procurement portal only. However this tender may be finalized through online Reverse Auction. Bidders are request to quote their most competitive prices through the online e-procurement portal / system.

In case of any difficulty in operating the E-Tendering System, please call up our developer's Help Desk m Junction Services Ltd. at 033-6601 1717 or BHEL representative. Please ensure the submission of your most competitive offer before the due date in the E-Tendering Portal to avoid last minute hustle.

**Pls refer attached PROCESS FLOW for submitting offer through e-procurement system. This document is for reference purpose only and shall not be submitted by vendor along with their offer.**

2. Bid submission time: upto 02:00 PM of the due date of opening.
3. Bid opening time: 02:30 PM on the same day.

**Clause 2: PRICES**

**A.1.: Applicable**

A.2.: Not applicable

**B.1.: Applicable**

B.2. Not applicable

B.3. Not applicable

C. Price Break up should be as under:

**1- Price Break up** should consist of the following :-

- a- FOB port of Loading.
- b- Marine Freight from load port to any Indian discharge port.
- c- Marine Insurance from load port to any Indian discharge port.

**Marine Freight and Insurance to be quoted separately.**

*BHEL may arrange Marine Shipment or exercise option for shipment by vendor at quoted F&I rates. If any foreign vendor quotes on FOB basis only, then loading for Marine F&I and custom clearance and inland F&I will be done by BHEL.*

- 2- Freight & Insurance from discharge port to site** – Vendor to quote for the same, however BHEL may also arrange the same for arriving at landed cost to BHEL at site. In such a case, loading will be done by BHEL in respect of F&I from discharge port to site.
- 3-** If custom clearance at discharge port is done by BHEL, then loading will be done by BHEL in respect of Custom duties, any other duty and custom handling charges.

### **Clause 3: TERMS OF PAYMENT**

Terms for BOP is not applicable

Terms for **BOI is applicable**

#### Documents for payment-

LR to be read as Bill of Lading/AWB.

Dispatch clearance by BHEL means BHEL MICC

Note- 1. In case of foreign vendor opts for inland transportation also, payment (for supply, and Marine F&I and Inland F &I) shall be made within 60 days from the date of receipt of invoice including endorsed LR and Material Receipt Certificate along with other dispatch documents.

2. In case, where inland transportation is not in foreign vendor's scope, payment shall be made within 90 days after arrival of shipment at Indian discharge port (considering 30 days time for inland transportation "from arrival at Indian discharge port to site").

### **Clause 6: PERFORMANCE BANK GUARANTEE**

**Option A** – As mentioned in General terms and conditions.

**Note- In case, Total ex-works value exceeds Rs.2Cr, then this option will not be applicable.**

#### **Option B**

BG for 10% of the total Ex-works PO value, valid for 18 months from the date of last delivery against PO. The claim period of 3 months shall also be required from the date of expiry of PBG, ie. over and above the guarantee period of 18 months. Total validity of PBG shall be for 21 months from the date of last delivery, i.e. inclusive of claim period. PO value at the time of first invoice for the particular order shall be considered for calculation of BG amount.

#### **Option C**

Retention of 10% of the total Ex-works PO value by BHEL from the first bill in lieu of Performance Bank Guarantee, to be released after expiry of 21 months from the date of last delivery.

### **Clause 11: Delayed Delivery**

a) In case of delay in execution of order beyond the lot wise contractual delivery, an amount of ½ % of total order Value per week or part there-of subject to maximum of 10% of total order value of P.O. will be withheld.

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

### **Clause 16: ARBITRATION**

The Arbitration shall be under "The Arbitration and Conciliation Act 1996". Place of Arbitration shall be New Delhi.

**All remaining terms which are not mentioned here shall remain unchanged as per General Terms and Conditions (BHEL/TBG/GTC/02-07).**

**Note : -**

- 1- Supplier has to specifically indicate / tick mark their preference for PBG out of the three options mentioned in clause no. 6 above.
- 2- **Delivery requirement: August'16.** Vendor to quote their best possible delivery plan in activity schedule to meet the tender's delivery requirement. In case, BHEL's delivery requirement are not met by vendor(s), then a chance may be given to all such vendors to review their quoted delivery schedule in line with BHEL's delivery requirement. However, if vendor fails to meet the requisite delivery plan, then BHEL reserves the right not to consider the offer of such vendor(s).
- 3- **Pre- Qualifying requirement:** a) The vendor/ Manufacturer should have valid MQP number approved by Powergrid.  
b) New vendor, which is not registered in Powergrid, has to get themselves approved from Powergrid directly within 30 days from the date of techno-commercial bid opening.  
c) Technical qualifying requirement as per clause no. 3.0 of section-1 of technical specification no.TB-386-510-104.

**4- LOADING CRITERIA:**

Permissible commercial deviation & Loading Criteria:

**TERMS OF PAYMENT:**

If a bidder asks for payment within specified no. of days from the date of receipt of invoice with complete documents as per "Terms of Payment" at Clause. No. 3 of Terms & Conditions for Indigenous Tender Enquiry, loading to be done as follows:

- a) Base rate of SBI (as applicable on the date of techno commercial bid opening) + 6 % shall be considered for loading for the period of relaxation sought by the bidder. Loading shall be done on total cost to BHEL.
- b) 60 days - No loading

Note- In case, techno commercial bid opening date gets extended due to any reason, then extended bid opening date will be considered for base rate of SBI.

**DELAYED DELIVERY:**

Loading on this clause shall be to the extent to which it is not agreed by the bidder.

Permissible Technical Deviations: No permissible Technical Deviation envisaged.

- 5- **REVERSE AUCTION:** 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.

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. Non-submission 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.

**Pls refer Annexure-1 for Terms & Conditions of Reverse Auction.**

**Note-** If RA will be done by BHEL, then same shall be conducted around 12 noon IST.

**6- OFFER EVALUATION:**

- a) In case of offers from Indian vendors only - Evaluation shall be done on landed cost to BHEL at site.
  - b) In case of offers from foreign vendors only - Evaluation shall be done on landed cost to BHEL at site and PO shall be placed on CIF basis with an option to convert it on FOB (load port). In case, inland F&I will be in vendor's scope, then separate order will be placed for inland F&I.
  - c) In case of offers from Indian and foreign vendors both - Evaluation shall be done on landed cost to BHEL at site.
- 7- For evaluation, exchange rate (TT selling rate of SBI) as on scheduled date of tender opening (part-I in case of two part bid) shall be considered.
- Note- In case, scheduled date of tender opening gets extended due to any reason, then extended tender opening date will be considered for TT selling rate of SBI.
- 8- Following details regarding shipment shall also be mentioned in offer to arrange logistics for the same-
- a) No. of package.
  - b) Size and Weight (Net & Gross) of each package.
  - c) No. of containers required with type of container & size of container.
  - d) Type of cargo (Break Bulk/LCL/FCL).
  - e) Custom Tariff No.
- All remaining terms which are not mentioned here shall remain unchanged
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