



# भारत हेवी इलेक्ट्रिकल्स लिमिटेड

(भारत सरकार का उपक्रम)

## BHARAT HEAVY ELECTRICALS LIMITED

(A Govt. of India Undertaking)

Ref. PSER: PUR: PMX: 131(VIII): 087: (ENQ:15:PP:0015:PUR:110)

Date: 27/11/2015

SUB: Filling of Various Industrial gases (Hydrogen & Carbon Di Oxide) in cylinders & allied services as per PART-C of tender specification at BHEL: PSER's NABINAGAR Site.

Sealed offers are invited from reputed and experienced bidders (meeting PRE-QUALIFYING CRITERIA as mentioned in Annexure-I) for the subject job by the undersigned on the behalf of BHARAT HEAVY ELECTRICALS LIMITED as per the tender document detailed below. Following points relevant to the tender may please be noted and complied with.

### 1.0 Salient Features of NIT

SL NO	ISSUE	DESCRIPTION
i	TENDER NUMBER	PSER: PUR: PMX: 131(VIII): 087:(ENQ:15:PP:0015:PUR:110) Date: 27/11/2015
ii	Broad Scope of job	<p>1. TRANSPORTATION OF EMPTY CYLINDERS FROM BHEL SITE, UNLOADING IN 200 NOS. CYLINDERS HAVING 46.7 LTR. WATER CAPACITY AT MINIMUM 140 KG/SQCM PRESSURE AND 27° C TEMP. &amp; FURTHER TRANSPORTATION OF FILLED CYLINDERS TO BHEL'S SITE.</p> <p>2. TRANSPORTATION OF EMPTY CYLINDERS FROM BHEL SITE, UNLOADING AT BIDDERS WORK'S, FILLING OF CO2 GAS AS PER IS 307 (466), PURITY 99.99% IN 60 NOS. CYLINDERS HAVING 46.7 LTR. WATER CAPACITY AT A FILLING RATIO 0.667 OF EACH CYLINDER BY WEIGHT, GAS CONTENT OF FILLED CYLINDER SHALL BE 30 KG/CYLINDER &amp; FURTHER TRANSPORTATION OF FILLED CYLINDERS TO BHEL'S SITE.</p> <p>Detailed specifications &amp; scope as per Technical Specification and Special Conditions of the Contract (Part-C) of the tender.</p>
iii	DETAILS OF TENDER DOCUMENT	
a	<u>PART - B:</u>	GENERAL CONDITIONS OF CONTRACT (GCC) <i>Applicable.</i>
b	Volume-IB	General Conditions of Contract (Services) <i>Not Applicable.</i>
c	<u>PART-C</u>	TECHNICAL SPECIFICATION AND SPECIAL CONDITION OF CONTRACT (SCC) <i>Applicable.</i>
d	<u>PART- H</u>	Forms and Procedures etc. <i>Applicable.</i>
e	Volume-IF	Technical Conditions of Contract (TCC) <i>Not Applicable.</i>
f	Volume-II	Technical Specification: <i>Not Applicable.</i>
g	<u>PART-E</u>	Price Schedule (Absolute value). <i>Applicable.</i>
iv	Issue of Tender Documents	From BHEL website (www.bhel.com & www.jantermanter.com) Tender documents can be downloaded from website till due date of submission. Start date <b>27/11/2015</b> <i>Applicable</i>
v	DUE DATE & TIME OF OFFER SUBMISSION	Date: <b>18/12/2015</b> , Time: 15-00 Hrs. Place : BHEL- Kolkata <i>Applicable</i>

पावर सेक्टर पूर्वी क्षेत्र (मुख्यालय)

POWER SECTOR EASTERN REGION, DJ-9/1, SALT LAKE CITY, KOLKATA - 700 091

फैक्स/Fax : (033) 23211960 फोन/Phone : बोर्ड/EPABX : 23211798/ 1691

vi	OPENING OF TENDER	Techno-commercial offer will be opened on same day <b>18/12/2015 at 16.00 Hours</b> , for which bidder may depute representative. Bidders are requested to visit website for viewing Tender Change Notice (TCN) / Corrigendum etc. informing any change before submitting the tender. Bidder may depute representative to witness the opening of tender.	<i>Applicable</i>
vii	EMD AMOUNT	1) For Package A i.e for Hydrogen Gas - Rs.20,000.00 2) For Package B i.e for Carbon Di Oxide Gas - Rs.10,000.00	<i>Applicable</i>
viii	COST OF TENDER	<i>NIL</i>	<i>Not Applicable</i>
ix	LAST DATE FOR SEEKING CLARIFICATION	<i>Date: 09/12/2015</i> <i>Along with soft version also, addressing to undersigned (in email) as per contact address given below</i>	<i>Applicable</i>
x	SCHEDULE OF Pre Bid Discussion (PBD)	<i>Not Applicable</i>	<i>Not Applicable.</i> <i>(In case BHEL decides to conduct PBD, date, time &amp; venue of PBD will be intimated suitably thru TCN)</i>
xi	INTEGRITY PACT & DETAILS OF INDEPENDENT EXTERNAL MONITOR (IEM)	<i>Not Applicable</i>	<i>Not Applicable</i>
xii	Latest updates	--	<i>Shall be intimated to bidder</i>

1) Earnest Money Deposit ( EMD ) of **Rs. 20,000.00 (Rupees Twenty Thousand only)** for Package – A i.e for Hydrogen Gas and **Rs. 10,000.00 (Rupees Ten Thousand only)** for Package – B i.e for Carbon Di Oxide Gas for either in cash deposited at BHEL office Cash section and receipt enclosed or in the form of crossed Demand Draft / Pay Order ( in favour of Bharat Heavy Electricals Limited, payable at Kolkata ), shall be enclosed by the bidder along with the offer, failing which the tender is liable for rejection.

One time EMD for Rs. 2,00,000.00 ( Rupees Two Lakh only ) will also be valid for all such jobs. Bidders who have deposited one time EMD of Rs. 2.00 lakh with BHEL:PSER for such job (evidence of deposit must be submitted) will be exempted from submission of EMD with this tender. The followings may be noted:

In case the bidder deposits separate EMD as mentioned above, there will be no change in existing clauses of this tender.

EMD by the Tenderer will be forfeited as per Tender Documents if, the successful bidder/vendor refuses to honour the order after award of the same on him and/or withdraws his bid and / or unilaterally changes the offer and/or any of its terms & conditions within the validity period.

EMD given by all unsuccessful Tenderers shall be refunded on acceptance of award / LOI/PO by successful Tenderer. The EMD of successful bidder shall be returned after successful execution of the job or submission of Security deposit (if applicable).

2) The offers shall be sent in sealed envelopes in the manner prescribed below :  
Complete set of offer shall be sent to BHEL, PSER, Kolkata as per address given below as per following details. In case of voluminous document the tender may be submitted in properly bounded form.

Sl no	Description	No of copy
<b>I. COVER-I (TECHNO-COMMERCIAL BID) – in sealed envelope</b>		
I.a	Offer forwarding/covering letter.	Original & 1 copy.
I.b	Duly filled-in `No deviation certificate' as per prescribed format to be placed after document under sl no I.a above.	Original & 1 copy.

	In case of any deviation, the same should be submitted separately for technical & commercial parts, indicating respective clauses of tender against which deviation is taken by bidder. The list of such deviation shall be placed after document under sl no I.a above. It shall be specifically noted that deviation recorded elsewhere shall not be entertained.	
I.c	Techno-commercial offer enclosing supporting documents meeting Pre Qualifying Criteria / annexure / schedules/ drawing /BOM etc. as required in line with prescribed format. It shall be specifically noted that all documents as per above shall be indexed properly.	Original & 1 copy.
I.d	All volumes of tender document pertinent for the subject job including NIT together with subsequent changes in the tender in the form of TCN, correspondences etc., signed on all pages.	1 copy.
I.e	PART- E (Price Schedule)– <b>un-priced but</b> mentioning only ' <b>quoted/unquoted</b> ' against each item of schedule.	1 copy.
I.f	Any other details preferred by bidder with proper indexing.	Original & 1 copy.
<b>II. COVER-II (PRICE BID/ABSOLUTE VALUE)</b>		
II.a	Copy of offer forwarding/ covering letter (as referred in I.a).	1 copy.
II.b	Duly filled-in PART- E (Price Schedule) together with signed preamble in separate sealed envelope.	Original.
<b>III. COVER-III (EMD).</b>		
Demand Draft etc. towards EMD as per instruction.		
<b>IV. COVER-IV.</b>		
All four aforesaid covers in sealed condition shall be enclosed in this cover. This cover shall be super-scribed with (i) Cover no; (ii) Details of enclosed covers and (ii) Name of the job, tender document no. & due date of submission. <b>ALONG WITH NAME &amp; COMPLETE ADDRESS (FAX NO. CONTACT NOS) OF BIDDER.</b>		

**SPECIAL NOTE:**

- A) Your offer & documents submitted with the offer shall be signed and stamped in each page by your authorized representative. No overwriting / correction in tender documents by bidders shall be allowed. However if correction is unavoidable, the same may be signed by authorized signatory.**
- B) All documents / annexure submitted with the offer shall be properly annexed and placed in respective places of the offer as per enclosure list mentioned in the covering letter. BHEL shall not be responsible for any missing documents.**
- 3) BHEL also reserve the right to reject the bidder with unsatisfactory past performance in the execution of a contract. BHEL's decision in this regard shall be final & binding.
  - 4) BHEL reserves the right to accept or reject any or all offer without assigning any reasons thereof. BHEL also reserve the right to cancel the offer wholly or partly without assigning any reason thereof. BHEL also reserve the right to split the job.
  - 5) You are free to visit the site and study the prevailing site condition including law & order etc. before quoting (if applicable).
  - 6) For any clarification on the tender document, you may seek the same in writing from the office of the undersigned. Such letters should reach the office of the under signed **positively by 09/12/2015.**
  - 7) BHEL may decide holding pre-bid conference (PBC) with any/ all the intending bidders. On such communication from BHEL, the bidder shall ensure participation for the same at the appointed time, date and place as may be decided by BHEL.
  - 8) In the event of any conflict between requirement of any clause of this specification / documents / drawings / data sheets etc. or requirements of different codes / standards, specified, the same to be brought to the knowledge of BHEL by you in writing for such clarifications before you submit your bid; otherwise, more stringent requirements as may be interpreted by BHEL shall prevail and shall be binding on you.
  - 9) Price bids of those bidders will be opened who will be qualified for the subject job on the basis of evaluation of Techno-commercial bids / pre-qualifying criteria and as considered suitable by BHEL.

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- 10) While BHEL reserves the right to open the price bid of the offers in camera. The date & time to open the tender opening shall be intimated to the bidders in case BHEL decides it to be 'Public opening' and in such a case, one authorized representative of the bidder shall be allowed to attend.
- 11) Taxes & duties shall be as per Part-B of the tender.
- 12) Statutory variation of taxes and duties (plus or minus) in accordance with Govt. Notifications to the account of BHEL. Any imposition of new / additional Duty / Tax at the time of supply shall be borne by BHEL.
- 13) Bidders are required to submit best price bid in a separate sealed cover (COVER-II) along with techno-commercial bid (COVER-I) as indicated above.
- 14) BHEL reserves the right to go for REVERSE AUCTIONING (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.
- 15) 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. Information and General Terms and conditions of Reverse Auction is attached in Annexure-IV.
- 16) Reverse Auction is the type of auction typically conducted to buy goods / items over Internet in which the lowest price bidder wins. In case, the bidders are willing to know the details about the methodology, they may please contact HEAD/PURCHASE OR ASST. ENGINEER /PURCHASE, BHEL, KOLKATA.
- 17) However, if reverse auction process is unsuccessful as defined in the RA rules/procedures, or for whatsoever reason, then the sealed 'PRICE BIDS' will be opened for deciding the successful bidder. BHEL's decision in this regard will be final and binding on bidder.
- 18) Bidders are requested to note that the accepted / agreed tender terms (technical, commercial or on Reverse Auction) in their original offer cannot be altered / withdrawn by their own during the processing of tender.
- 19) **"The offers of the bidders who are on the banned list as also the offer of the bidders, who engage the services of the banned firms, shall be rejected. The list of banned firms is available on BHEL web site [www.bhel.com](http://www.bhel.com)".**
- 20) **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.**
- 21) The bidder shall submit documents in support of possession of 'Pre-Qualifying Requirements" duly self-certified and stamped by the authorized signatory, indexed and properly linked in the format for PQR. In case BHEL requires any other documents/proofs, these shall be submitted immediately (if applicable).
- 22) The bidder may have to produce original document for verification if so decided by BHEL.
- 23) Suspension of Business dealings: BHEL reserves the right to take action against contractors who fail to perform or indulge in malpractices, by suspending business dealings with them as detailed in Annexure-V.
- 24) "MSE suppliers can avail the intended benefits only if they submit along with the offer, attested copies of either EM II certificate having deemed validity (five years from the date of issue of acknowledgement in EM II) or valid NSIC certificate or EM II certificate along with attested copy of a CA certificate (Format enclosed at Annexure -V where deemed validity of EM II certificate of five years has expired) applicable for the relevant financial year (latest audited).

Date to be reckoned for determining the deemed validity will be the date of bid opening (Part 1 in case of two part bid). Non submission of such documents will lead to consideration of their bid at par with other bidders. No benefit shall be applicable for this enquiry if any deficiency in the above required documents are not submitted before price bid opening. If the tender .is to be submitted through e-procurement portal, then the above required documents are to be uploaded on the portal. Documents should be notarized or attested by a Gazetted officer. "

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Any Bidder falling under MSME category, shall furnish the following details & submit documentary evidence/Govt. Certificate etc. in support of the same along with their techno-commercial offer

Type under MSME	SC/ST owned	Others
Micro		
Small		
Medium		

**Note:** - If the bidder does not furnish the above, offer shall be processed construing that the bidder is not falling under MSME category.

25) Order of Precedence

In the event of any ambiguity or conflict between the Tender Documents, the order of precedence shall be in the order below:

- Amendments/Clarifications/Corrigenda/Errata etc. issued in respect of the tender documents by BHEL
- Notice Inviting Tender (NIT)
- Price Schedule – PART-E
- TECHNICAL SPECIFICATION AND SPECIAL CONDITION OF CONTRACT (SCC)- PART-C
- GENERAL CONDITIONS OF CONTRACT (GCC)- PART-B
- Forms and Procedures — PART- H

for BHARAT HEAVY ELECTRICALS LTD

Sr. Engr. / (PUR)

Agency	Contact details	
BHEL, PSER, Kolkata	Address	DJ-9/1, Sector – II, Salt Lake, Kolkata – 700 091
	Phone no	033-2321 1496 (D)/ 1690. EPABX – 23216130, 34, 35; Extension – 3205
	FAX no	033-23211960
	E-mail	<a href="mailto:anima@bhelpser.co.in">anima@bhelpser.co.in</a> , <a href="mailto:ssen@bhelpser.co.in">ssen@bhelpser.co.in</a>

Enclosure

- Annexure-I: Pre qualifying Criteria.
- Annexure- II : No Deviation Certificate
- Annexure-III: Format for seeking clarification
- Annexure-IV: General Terms & conditions for Reverse Auction
- Annexure-V: Suspension of business dealing with Suppliers
- Annexure-VI: Certificate by Chartered Accountant
- Declaration for Relation in BHEL.
- Tender documents as per this NIT.

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**ANNEXURE - I****Pre-Qualification Criteria**

JOB	Filling of Various Industrial gases (Hydrogen & Carbon Di Oxide) in cylinders & allied services as per PART-C of tender specification at BHEL: PSER's NABINAGAR Site.
TENDER NO	PSER: PUR: PMX: 131(VIII): 087: (ENQ:15:PP:0015:PUR:110) Date: 27/11/2015.

TECHNICAL:	
SL NO	CRITERIA
1.0	BIDDER SHALL BE ORIGINAL MANUFACTURER OR AUTHORISED DEALER/DISTRIBUTOR OF INDUSTRIAL GAS. DEALER / DISTRIBUTOR SHOULD SUBMIT AUTHORISATION LETTER FROM MANUFACTURER IN ORIGINAL FOR SUPPLY OF INDUSTRIAL GASES AGAINST THIS TENDER (DOCUMENTORY PROOF TO BE ATTACHED IN TECHNICAL BID).
2.0	THE BIDDER SHOULD HAVE PREVIOUS EXPERIENCE OF SUPPLYING OF INDUSTRIAL GASES IN REPUTED ORGANIZATION/(S) FOR AT LEAST 30% OF TENDERED QUANTITY IN A SINGLE ORDER FOR EACH OF THE QUOTED GAS/ES IN LAST 3 (THREE) YEARS AS ON DUE DATE OF SUBMISSION OF TENDER AND BIDDER SHALL HAVE TO SUBMIT COPY OF PURCHASE ORDER ALONG WITH DOCUMENTS SUBSTANTIATING THE PROOF OF SUPPLY IN SUPPORT OF THE ABOVE REQUIREMENT.
FINANCIAL:	
3.0	BIDDER SHOULD HAVE AVERAGE MINIMUM ANNUAL TURNOVER OF <b>RS.3 LACS</b> IN TOTALITY AND INDIVIDUALLY FOR PACKAGE A (HYDROGEN GAS) <b>Rs.2.27 LACS</b> , FOR PACKAGE B (CARBON DI OXIDE GAS) <b>Rs.0.74 LACS</b> DURING THE LAST 3 (THREE) YEARS, ENDING ON 31.03.2015. AUDITED BALANCE SHEET AND PROFIT & LOSS ACCOUNT OF THE COMPANY NEED TO BE SUBMITTED FOR LAST 3 (THREE) FINANCIAL YEARS, ENDING ON 31.03.2015 IN SUPPORT OF THIS REQUIREMENT. IN CASE AUDITED FINANCIAL STATEMENTS HAVE NOT BEEN SUBMITTED FOR ALL THE 3 (THREE) YEARS AS INDICATED ABOVE, THEN THE APPLICABLE AUDITED STATEMENTS SUBMITTED BY THE BIDDERS AGAINST ABOVE 3 (THREE) YEARS, WILL BE AVARAGED FOR 3 (THREE) YEARS. IF FINANCIAL STATEMENTS ARE NOT REQUIRED TO BE AUDITED STATUTORILY, THEN INSTEAD OF AUDITED FINANCIAL STATEMENTS, FINANCIAL STATEMENTS ARE REQUIRED TO BE CERTIFIED BY THE CHARTERED ACCOUNTANT.
4.0	BIDDER SHOULD SUBMIT VALID PERMANENT ACCOUNT NUMBER (PAN).

**NOTE**

a	CONSORTIUM/ JV BIDDING IS NOT ALLOWED.
b	THE TENDER COMPRISES OF 02 PACKAGES, PACKAGE-A & PACKAGE-B. BIDDER MAY SUBMIT OFFER FOR ANY ONE OR BOTH PACKAGE(S). EACH PACKAGE SHALL BE EVALUATED SEPARATELY.
c	IN CASE, BIDDER QUOTES FOR MORE THAN ONE PACKAGE, MINIMUM TURNOVER PER ANNUM SHOULD BE THE SUM OF THE TURNOVERS OF SUCH PACKAGES BIDDER IS QUOTING FOR, AS MENTIONED IN SL NO.3. ALSO AS PER SL NO.2 BIDDER SHALL SUBMIT DOCUMENTS PERTAINING TO RELEVANT QUOTED PACKAGE/S.
d	AFTER SATISFACTORY FULFILLMENT OF ALL THE ABOVE CRITERIA, OFFER SHALL BE CONSIDERED FOR FURTHER EVALUATION AS PER NIT AND ALL OTHER TERMS OF THE TENDER.

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**ANNEXURE - II**

**NO DEVIATION CERTIFICATE**

To,  
 BHARAT HEAVY ELECTRICALS LIMITED,  
 Power Sector - Eastern Region,  
 Plot no 9/1, DJ Block, Sector – II, Salt Lake City,  
 Kolkata – 700 091

Sub	No Deviation Certificate.	
Job	Filling of Various Industrial gases (Hydrogen & Carbon Di Oxide) in cylinders & allied services as per PART-C of tender specification at BHEL: PSER's NABINAGAR Site.	
Ref	1.0	PSER: PUR: PMX: 131(VIII): 087: (ENQ:15:PP:0015:PUR:110) Date: 27/11/2015.
	2.0	Other references (if any).

Dear Sirs,

With reference to above, this is to confirm you that we have gone through each and every terms and conditions mentioned in the enquiry (Terms and conditions) and we offer our unqualified acceptance of the same. We also confirm that we have not changed/ modified the tender documents as appeared in the website/ issued by you and in case of such observance at any stage, it shall be treated as null and void.

We hereby confirm that we have not taken any deviation from tender clauses together with other references as enumerated in the above referred NIT. We hereby confirm our unqualified acceptance to all terms & conditions, unqualified compliance to technical specification, integrity pact (if applicable) and acceptance to reverse auctioning process.

It is also confirmed that the price has been quoted in the format received with the enquiry.

In the event of observance of any deviation in any part of our offer at a later date whether implicit or explicit, the deviations shall stand null & void.

(Signature of bidder)  
 with Seal

**ANNEXURE - III**

**FORMAT FOR SEEKING CLARIFICATION**

<b>JOB</b>	Filling of Various Industrial gases (Hydrogen & Carbon Di Oxide) in cylinders & allied services as per PART-C of tender specification at BHEL: PSER's NABINAGAR Site.
<b>TENDER NO</b>	PSER: PUR: PMX: 131(VIII): 087: (ENQ:15:PP:0015:PUR:110) Date: 27/11/2015

<b>Sl. no</b>	<b>Reference clause of tender document</b>	<b>Existing provision</b>	<b>Bidder's query</b>	<b>BHEL's clarification</b>

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**Annexure-IV**

**General Terms & Conditions of Reverse Auction**

Against this enquiry for the subject item/ system with detailed scope of supply as per enquiry specifications, BHEL may resort to "REVERSE AUCTION PROCEDURE" i.e., ON LINE BIDDING (THROUGH A SERVICE PROVIDER). The philosophy followed for reverse auction shall be English Reverse (No ties).

1. For the proposed reverse auction, technically and commercially acceptable bidders only shall be eligible to participate.
2. Those bidders who have given their acceptance for Reverse Auction (quoted against this tender enquiry) will have to necessarily submit 'online sealed bid' in the Reverse Auction. Non-submission of 'online sealed bid' by the bidder for any of the eligible items for which techno-commercially qualified, will be considered as tampering of the tender process and will invite action by BHEL as per extant guidelines in vogue.
3. 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.
4. In case of reverse auction, BHEL will inform the bidders the details of Service Provider to enable them to contact & get trained.
5. Business rules like event date, time, bid decrement, extension etc. also will be communicated through service provider for compliance.
6. Bidders have to fax the Process Compliance form (**Annexure-III of Business Rule Document of Reverse Auction – shall be shared to bidders along with intimation of RA schedule**) before start of Reverse auction. Without this, the bidder will not be eligible to participate in the event.
7. In line with the NIT terms, BHEL will provide the calculation sheet (e.g., EXCEL sheet) which will help to arrive at "Total Cost to BHEL" like Packing & forwarding charges, Taxes and Duties, Freight charges, Insurance, Service Tax for Services and loading factors (for non-compliance to BHEL standard Commercial terms & conditions) for each of the bidder to enable them to fill-in the price and keep it ready for keying in during the Auction.
8. Reverse auction will be conducted on scheduled date & time.
9. At the end of Reverse Auction event, the lowest bidder value will be known on auction portal.
10. The lowest bidder has to fax/e-mail the duly signed and filled-in prescribed format for price breakup including that of line items, if required, (**as per Annexure-IV of Business Rule Document of Reverse Auction**) as provided on case-to-case basis to Service provider within two working days of Auction without fail.
11. 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.
12. Bidders shall be required to read the "Terms and Conditions" section of the auctions site of Service provider, using the Login IDs and passwords given to them by the service provider before reverse auction event. Bidders should acquaint themselves of the 'Business Rules of Reverse Auction', which will be communicated before the Reverse Auction.
13. If the Bidder or any of his representatives are found to be involved in Price manipulation/ cartel formation of any kind, directly or indirectly by communicating with other bidders, action as per extant BHEL guidelines, shall be initiated by BHEL and the results of the RA scrapped/ aborted.
14. The Bidder shall not divulge either his Bids or any other exclusive details of BHEL to any other party.
15. In case BHEL decides to go for reverse auction, the H1 bidder(s) (whose quote is highest in online sealed bid) may not be allowed to participate in further RA process.

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Annexure – V

1	<b>Suspension of business dealing with Suppliers</b> Depending upon the gravity of the omission or commission by the Supplier, the Supplier may be either put on hold for future enquiries for specific material category/ item or delisted or banned as detailed hereinafter.
2.0	<b>Hold</b> A Supplier may be put on hold for future enquiries for specific material category/ items/ works for a specific unit on the basis of one or more of the following reasons:
2.1	Before placement of order, Supplier does not honour his own offer or any of its conditions within the validity period.
2.2	In the last three consecutive supplies of a specific material category, average quality rating as at the end of the previous calendar month falls below 80% of the quality weightage. This is irrespective of supplies against PO(s) having single/ multiple delivery schedules.
2.3	Two consecutive delays, for reasons of delay attributed to the Supplier, in execution of the contracts where delay occurred is such that a) prescribed maximum LD time limits of the contracts is reached/ exceeded or b) delay period has equaled/ exceeded the original delivery period specified in the contracts whichever among the above is earlier.
2.4	Supplier performance rating in line with SEARP falls below 60% of the specific material category.
2.5	Supplier fails to respond against three consecutive tenders. ('Regret letter' from the Supplier is to be considered as response)
2.6	Supplier fails to settle any outstanding on account of material (including short return)/ scrap or on any other account.
2.7	Supplier works are under strike/ lockout for a period of more than six months.
3.0	<b>De-listing</b> A Supplier may be de-listed i.e. removed from the list of registered Suppliers of a Unit for all categories of material on the basis of one or more of the following reasons:
3.1	Supplier in any way tampers with tendering procedure affecting ordering process.
3.2	Supplier has misused BHEL documents/ drawings or has breached the confidentiality agreement with BHEL.
3.3	After placement of order, Supplier fails to execute the contract.
4.0	<b>Banning</b> A Supplier can be banned from doing any business with all Units of BHEL on the basis of receipt of evidence of one or more of the following reasons:
4.1	Supplier is found to be responsible for submitting fake/ false/ forged documents, certificates, or information or has resorted to unethical, illegal means in getting the contract.
4.2	In spite of warnings, the Supplier persistently violates or circumvents the provisions of labour laws/ regulations/ rules and other statutory requirements.
4.3	Supplier is found to be involved in cartel formation or in any act so as to influence the bidding process or influence the price.
4.4	The Supplier has indulged in malpractices or misconduct such as bribery, corruption and fraud, pilferage etc.
4.5	The Supplier is found guilty by any court of law for criminal activity/ offences involving moral turpitude in relation to business dealings.
4.6	The Supplier is declared bankrupt, insolvent, has wound up or been dissolved; i.e. ceases to exist for all practical purposes.
4.7	Supplier is found to have obtained any internal information/ documentation of BHEL by unauthorized means.
4.8	A decision has been taken by the administrative ministry of the Government to ban business dealings with a Supplier and such decision has been communicated to BHEL.
4.9	The foreign Principals along with the representing Agent shall be banned together if information submitted by them about their precise relationship, commission/ remuneration etc. payable/ receivable and other particulars as asked by BHEL, as per the extant guidelines regarding dealing with Agents of Foreign Suppliers is found false/ incorrect.
4.10	Supplier has substituted, damaged, failed to return, or unauthorizedly disposed off free issue materials/ tools etc. of BHEL.
5.0	Contracts already entered with a contractor before the date of issue of order of 'HOLD' or 'DE-LISTING' shall not be affected.
6.0	All existing contracts with a 'BANNED' contractor shall normally be short closed
7.0	Once the order for banning is passed, existing offers/ new offers of the Supplier shall not be entertained.
8.0	The above guidelines are not exhaustive but enunciate broad principles governing action against contractors

पावर सेक्टर पूर्वी क्षेत्र (मुख्यालय)

POWER SECTOR EASTERN REGION, DJ-9/1, SALT LAKE CITY, KOLKATA - 700 091

फैक्स/Fax : (033) 23211960 फोन/Phone : बोर्ड/EPABX : 23211496

Annexure - VI

**Certificate by Chartered Accountant on letter head**

This is to Certify that M/S .....  
(hereinafter referred to as 'company') having its registered office at ..... is  
registered under MSMED Act 2006, (Entrepreneur Memorandum No (Part-II)  
..... dtd:..... ,  
Category: ..... (Micro /Small)). (Copy enclosed).

Further verified from the Books of Accounts that the investment of the company as per the latest audited financial year ..... as per MSMED Act 2006 is as follows:

1. For Manufacturing Enterprises: Investment in plant and machinery (i.e. original cost excluding land and building and the items specified by the Ministry of Small Scale Industries vide its notification No.S.O.I722(E) dated October 5, 2006 :

Rs..... Lacs

2. For Service Enterprises: Investment in equipment (original cost excluding land and building and furniture, fittings and other items not directly related to the service rendered or as may be notified under the MSMED Act, 2006:

Rs..... Lacs

(Strike off whichever is not applicable)

The above investment of Rs ..... Lacs is within permissible limit of Rs..... ....Lacs for..... Micro / Small (Strike off which is not applicable) Category under MSMED Act 2006.

Or

The company has been graduated from its original category (Micro/ Small) (Strike off which is not applicable) and the date of graduation of such enterprise from its original category is ..... (dd/mm/yyyy) which is within the period of 3 years from the date of graduation of such enterprise from its original category as notified vide 5.0. No. 3322(E) dated 01.11.2013 published in the gazette notification dated 04,11.2013 by Ministry of MSME.

Date:

(Signature)

Name-

Membership number -

Seal of Chartered Accountant

## **DECLARATION FOR RELATION IN BHEL**

(To be typed and submitted in the Letter Head of the Company/Firm of Bidder failing which the offer of Bidder is liable to be summarily rejected)

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To,

(Write Name & Address of Officer of BHEL inviting the Tender)

Dear Sir,

Sub: **Declaration for relation in BHEL**

Ref : 1) NIT/Tender Specification No: .....,

I/We hereby submit the following information pertaining to relation/relatives of Proprietor/Partner(s)/Director(s) employed in BHEL.

Tick (√) any one as applicable:

1. The Proprietor, Partner(s), Director(s) of our Company/Firm DO NOT have any relation or relatives employed in BHEL

OR

2. The Proprietor, Partner(s), or Director(s) of our Company/Firm HAVE relation/relatives employed in BHEL and their particulars are as below:

(i)

(ii)

Signature of the Authorized Signatory

Note:

1. Attach separate sheet, if necessary.
2. If BHEL Management comes to know at a later date that the information furnished by the Bidder is false, BHEL reserves the right to take suitable against the Bidder/Contractor.