

ANNEXURE-II SPECIAL TERMS AND CONDITIONS

1. This is an E-tender floated online through our E-Procurement Site <https://bheleps.buyjunction.in> The bidder should respond by submitting their offer online only in our e-Procurement platform at <https://bheleps.buyjunction.in> **(For e-procurement assistance & training, bidders may contact MJUNCTION helpdesk phone no. 033-66011717 and 044-64624733/34/35 between 9:30 am till 5:30 pm.)** Offers are invited in two-parts only. No Hard copy bid or bids through email/ fax shall be accepted. Bids shall be submitted as described

DOCUMENTS TO BE UPLOADED & MODALITY OF UPLOADING:

TECHNICAL OFFER:

1. Scanned copy of Entire tender documents signed & stamped in each page by authorized representative of the bidder except price bid (To be attached in Attachment section).
2. Scanned copy of Techno-Commercial Offer (To be attached in Attachment section)
3. Duly filled all annexures (To be attached in Attachment section).
4. Pre-qualifying documents with all credentials (To be attached in Attachment section)
5. Unpriced RATE SCHEDULE (To be attached in Unpriced bid Attachment section).

PRICE BID:

1. Duly filled in RATE Schedule as per Annexure- IV. (To be attached in price bid Attachment section)
Any other document uploaded in the price bid, apart from Annexure-IV as per tender format, shall not be taken into cognizance for evaluation of offer.
2. The Rates Quoted should be FIRM till the Completion of the Order. No revision in rate shall be entertained after opening of the tenders.
3. Rates quoted shall be inclusive of all taxes, duties, including octroi and entry tax etc., on **FOR Destination basis**. Supplier should furnish **ED details** separately in their offer / invoice, for BHEL to avail CENVAT benefits. The ED value will be deducted while comparing your offer to arrive L1 status. We will not furnish any 'C' Form.
4. **SPLITTING THE ORDER: BHEL have the rights to place orders on more than one Vendor.**
5. 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 RA only those bidders who have given their acceptance to participate in RA will be allowed to participate in RA. Those bidders who have given their acceptance to participate in RA will have to necessarily submit "on line sealed bid" in the RA. Non submission of "on line sealed bid" by the bidder will be consider as tampering of the tender process and will invite action by BHEL as per extent guide lines in vogue". Bidders are also required to furnish following details in their techno commercial bid, for this purpose (RA).

6. *Authorization of representative who will participate in the on line reverse auction process;*
 - i. *Name and designation of official.*
 - ii. *Postal Address (Complete).*
 - iii. *Telephone Nos. (Both Land line & Mobile).*
 - iv. *FAX No E-mail address.*
 - v. *Name and Place /State/Country, where from he will participate in the reverse auction.*

7. *80% payment of Supply value will be released within 30 days against Supply and an acknowledged receipt of materials (OR) SRV issued by the consignee with Original excise gate pass in the name of BHEL to avail CENVAT benefit (Payment will not be possible unless this is strictly adhered to). And balance 20% payment of Supply value and 100% of the CIVIL FOUNDATION WORKS, ERECTION and COMMISSIONING will be released against E&C Certificate issued by BHEL and on submission of PBG (Performance Bank Guaranty) for 10% of the total order value valid for 30 days beyond the GUARANTY/ WARRANTEE Period from any of the consortium banks of BHEL.*

8. *Vendor has to submit Quality Plan (QAP), Detailed Specification of the product, Product Catalogues, Manufacturers Test Certificates, General arrangement Drawings, BOQ and Performance Certificates obtained from the Previous customers to BHEL along with the offer. Also the Guarantee/Warranty Certificate, Calibration Certificate and O&M Manual to be furnished to BHEL without fail.*

9. **CIVIL FOUNDATION INCLUDING EARTH PITS 04 nos per MAST, INATALLATION and COMMISSIONING OF ALL THE HIGH MASTS TO BE ORDERED WILL BE ON VENDORS SCOPE.**
NOTE: SAIL BEARING CAPACITY for NALAGONDA (TSGENCO 5x800 MW YADADRI TPS, NALAGONSDA (Dt), TELENGANA) site is 40 Ton/sqm at 1.5m depth.

10. *TESTING / INSPECTION / DELIVERY PERIOD: Vendor is requested to furnish the Detailed Specification of the product, Product Catalogues, Manufacturers Test Certificates, General arrangement Drawings BOQ and QAP for BHEL Approval within 15 days from the date of receipt of order. Inspection will be carried out at supplier works. Hence supplier is requested to raise the inspection call well in advance. After the Inspection and dispatch clearance from BHEL the material shall be dispatched within THREE weeks from the date of receipt of Dispatch Clearance from BHEL.*

11. **EARNEST MONEY DEPOSIT:**
 - a) *Rs.2,00,000/- (TWO LAKHS) EMD shall be furnished along with the offer in full.*
 - b) *EMD is to be paid in cash (as permissible under Income Tax Act), Pay Order or Demand Draft in favor of 'BHARAT HEAVY ELECTRICALS LIMITED' and payable at Chennai.*
 - c) *No other form of EMD remittance shall be acceptable to BHEL.*
 - d) *Bidders may opt to deposit 'One Time EMD' of Rs. 2.0 lakhs (Two Lakhs only) with BHEL Power Sector, Southern Region, Chennai – 35, which will be enable them to participate in all the future tender enquiries from this office. Interested bidders may clearly send their consent for converting the present EMD into a 'One Time EMD' in their offer.*

Note: The 'One Time EMD' cannot be withdrawn by the tenderers within three years from the date of deposit, under any circumstances. The tenderer who wishes to withdraw after three years will not be allowed to submit 'One Time EMD' again.

- e) Bidders who have already deposited such 'One Time EMD' of Rs. 2.00 lakh are exempted from submission of EMD for this tender. However a copy of 'One Time EMD' certificate issued by BHEL Regional HQ issuing the tender shall be enclosed along with the offer.
- f) EMD by the bidder will be forfeited as per Tender Documents if
 1. After opening the tender, the bidder revokes his tender within validity period or increases his early quoted rates.
 2. The bidder not complete the Supply as per the agreed time schedule be given and agreed in the order.
- g) EMD shall not carry any interest.
- h) In the case of unsuccessful bidders, the Earnest Money will be refunded to them within a reasonable time after acceptance of award by successful tenderer.
- i) In the case of Successful tenderer the EMD will be returned after satisfactory completion of supply.

12. Offers without EMD will be liable for rejection.

13. Tender Conditions for MSE supplier: MSE suppliers can avail the intended benefits only if they submit along with offer, attested copies of either EM II certificate having deemed validity (Two years from the date of issue of acknowledgement in EM-II) or valid NSIC certificate or EM /I certificate along with CA certificate (Format enclosed as per Annexure - I) applicable for the year, certifying quantum of investment in plant and machinery within the permissible limit as per the act for relevant status (Micro or small) where the deemed validity of EM II is over. Date to be reckoned for determining the deemed validity will be the last date of technical bid submission. Non submission of such documents will lead to consideration of their bids at par with other bidders and MSE status of such suppliers shall be shifted to Non MSE supplier till the supplier submits these documents".

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 shall submit the necessary certificate.

14. BHEL shall consider any new supplier as MSE vendor provided anyone of the following documents are submitted along with their offer/application

- a). Valid NISC certificate
- b). Entrepreneurs memorandum Part II (EM II) valid based on deemed validity of 5 years)

c). Valid EM II certificate along with attested copy of CA certificate as per prescribed format Annexure -1 applicable for the relevant financial year (latest audited), where the deemed validity of EM II is over.

However credentials of all MSE suppliers will be verified before considering the intended benefits for MSE suppliers as per above clause (Public procurement policy 2012 and MSMED act 2006)at time of tender valuation

MSEs are exempted from payment of earnest money (EMD) in addition to free issuance of Tender Documents.

15. Please refer to the instructions to Tenders regarding Terms & Conditions as applicable to this Enquiry, which is enclosed.
16. Please seek all the clarifications, if any, before quoting and submit a “ **NO DEVIATION CERTIFICATE**”. Agreeing to all terms and conditions
17. **CONSIGNEE ADDRESS:** SITE INCHARGE, BHEL SITE OFFICE, YADADRI THERMAL POWER STATION (5x800 MW), VEERLAPALEM VILLAGE, DAMARCHERLA MANDAL, NALGONDA (Dt), PIN-508208, TELANGANA,
18. The offer validity should be **90 days** from the date of opening of Tender.
19. **For e-procurement assistance & training, bidders may contact MJUNCTION helpdesk phone no. 033-66011717 and 044-64624733/34/35 between 9:30 am till 5:30 pm.**

GENERAL TERMS AND CONDITIONS OF REVERSE AUCTION (RA)

Against this enquiry for the subject work, tender may be processed through Reverse Auction mode i.e., ON LINE BIDDING ON INTERNET. The General Terms and conditions of the RA shall be as follows:

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 RA (quoted against this tender enquiry) will have to necessarily submit "on line sealed bid" in the RA. Non submission of "on line sealed bid" by the bidder will be consider as tampering of the tender process and will invite action by BHEL as per extant guide lines 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 extensions etc., also will be communicated through service provider for compliance.
6. Bidders have to fax the Compliance form (annexure-IV) before start of Reverse auction. Without this the bidder shall not be eligible to participate in the event.
7. In line with the NIT terms, BHEL will provide the calculation sheet (eg., EXCEL sheet) which will help to arrive at "Total Cost to BHEL' like packing & forwarding charges, Taxes and duties, Freight charges, Insurances, Service Tax for services and loading factors (for non compliance to BHEL standard commercial terms and 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 Filled-in prescribed format for price breakup including that of line items, if required (Annexure- VII) 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 will shall be opened as per BHEL's standard practice.
12. Bidders shall be required to read the 'Terms and Conditions" section of the auction site of service provider, using the Login IDs 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 representative 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 procedure the H1 bidder(s) (whose quote is highest in online sealed bid) may not be allowed to participate in further RA process.

NO DEVIATION CERTIFICATE

I -----OF

M/s. ----- HERE BY CERTIFY

THAT THERE IS NO DEVIATION FROM THE TENDER CONDITIONS EITHER TECHNICAL or

COMMERCIAL AND I AM AGREEING TO ALL THE TERMS AND CONDITIONS MENTIONED IN THE

TENDER SPECIFICATION.

SIGNATURE OF THE TENDERER

OFFICE SEAL

BHEL : PSSR : CHENNAI

DETAILS OF CONTRACTOR/SUPPLIER FOR E REMITTANCE OF PAYMENTS BY BHEL PSSR/CHENNAI

1 NAME & ADDRESS OF THE CONTRACTOR/SUPPLIER

2 BANK A/C NO

3 TYPE OF A/C (CC / CURRENT)

4 NAME OF THE BANK

5 NAME OF THE BRANCH

6 BRANCH CODE

7 BANKER'S ADDRESS

8 MICR NO

9 IFSC CODE

THE CONTRACTOR / SUPPLIER ,DULY ATTESTED BY THEIR BANKERS