

## ANNEXURE-II SPECIAL TERMS AND CONDITIONS

1. The offer has to be submitted in TWO PART BID on or before due date. In case the due date will be a closed holiday then the tender will be opened on next working day.

**Part-I Technical and Commercial** ( Un priced Bid) in a sealed cover **consisting of Technical documents, documents fulfilling technical pre-qualification criteria (or) non-returnable samples.**

**Part-II Price Bid** in a separate sealed cover.

Both the above sealed covers should be put in a separate sealed cover . All the covers should be super scribed with Tender no, Due date & Description of item .

2. Please quote the price "on **FOR destination**" basis inclusive of **Calibration**, packing & Forwarding, Freight and insurance.
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. 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).
5. 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.
6. 90% payment will be released within 30 days against Supply and on acknowledged receipt of materials (OR) SRV issued by the consignee.  
And balance 10% payment will be released after the submission of PBG for 10% of the total order value valid for 30 days beyond the guaranty/ Warrantee Period from any of the consortium banks of BHEL.
6. Test Certificate, Guarantee Certificate and QAP to be furnished to BHEL without fail.
7. Supplier is requested to offer Inspection well in advance
8. 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 II certificate along with CA certificate (Format enclosed as per Annexure - III) 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".

9. BHEL shall consider any new supplier as MSE vendor provided any one of the following documents are submitted along with their offer/application
10. 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 II 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”.

BHEL shall consider any new supplier as MSE vendor provided any one 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

11. Supplier should submit their offer with detailed specification and Product Catalogues to BHEL without fail. Please refer to the instructions to Tenders regarding Terms & Conditions as applicable to this Enquiry, which is enclosed.
12. Please seek all the clarifications, if any, before quoting and submit a “ **NO DEVIATION CERTIFICATE**”. Agreeing to all terms and conditions
13. The offer validity should be **90 days** from the date of opening of Tender. Offer shall be addressed to MANAGER / P & S, BHEL/PSSR, 690, Anna Salai, Nandanam, Chennai -600035.

## 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 extent 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.

*CERTIFICATE FOR NO DEVIATION*

*I, \_\_\_\_\_ Of  
M/s \_\_\_\_\_ hereby 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**