

## SPECIAL CONDITIONS OF CONTRACT

1. This is an E-tender floated online through our E-Procurement Site <https://bheleps.buyjunction.in> The Bidders should respond by submitting their offer only online in our E-Procurement platform at <https://bheleps.buyjunction.in> (For E-procurement assistance & training, Bidders may contact mjunction CHENNAI helpdesk Mr.Harish Kumar Ramu, Mobile : +91 – 98407 04941, email- Harish.Ramu@mjunction.in & Mr. Arjit Das /+91 – 9163348286, arijit.das@mjunction.in ; papiya.banerjee@mjunction.in Ph.no: 044-64624733/34/35 and mjunction KOLKATA 03366011717 between 9:30 am till 5:30 pm )
2. Offers are invited in Two Parts only. No Hard copy bid or bids through email/ fax will be accepted. Bids shall be submitted as described below:  
**DOCUMENTS TO BE UPLOADED & MODALITY OF UPLOADING:**
  - A. **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).
  - B. **PRICE BID:** Duly filled in RATE Schedule as per format given. (To be attached in price bid Attachment section)
3. The Rates Quoted should be FIRM till the Completion of the Order. No revision in rate shall be entertained after opening of the tenders.
4. **BHEL will consider overall (Package) rates only to arrive the L1 Rank. Hence Vendor is requested to submit their quote for all the items. However offer should indicate the item wise price details also.**

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5. Rates quoted shall be inclusive of all taxes, duties, including Octroi and entry tax etc., on **FOR Destination basis**. BHEL will not issue any C form. CST is to be quoted accordingly.

Supplier should indicate **Excise Duty(ED) details** separately in their offer. To enable BHEL to avail CENVAT benefits, Bidder will be required to submit Original ED gate pass to such amount of ED indicated in the Price bid. The Excise Duty value will not be considered for the purpose of Price comparison to arrive L1 status.

6. BHEL reserves the right to go for Reverse Auction instead of opening the Price bid submitted online, which will be decided after Technical Evaluation. As such the Bidders should submit their best price in the sealed bid. Authorization of representative who will participate in the on line Reverse Auction process has to be furnished in the Technical Offer:

- 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. Payment Terms shall be 90% payment will be released within 30 days against Supply and on acknowledged receipt of materials (OR) SRV issued by the Consignee (OR) NOC issued by the Consignee. 10% payment against submission of Bank guarantee drawn from any Consortium Bank of BHEL for 10% of the Contract value including Taxes & Duties. Bank Guarantee shall be valid till completion of Guarantee period.

8. **Tender Conditions for MSE supplier: MSE suppliers can avail the intended benefits only if they submit the following documentary evidence/Govt. Certificate etc. in support of the same along with their techno-commercial offer:**

- a.* 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		

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<b>Small</b>		
<b>Medium</b>		

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

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".

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

- 8. Please refer to the instructions to Tenders regarding Terms & Conditions as applicable to this Enquiry, which is enclosed.
- 9. Please seek all the clarifications, if any, before quoting and submit a “**NO DEVIATION CERTIFICATE**”. Agreeing to all terms and conditions along with your Technical Offer
- 10. **CONSIGNEE ADDRESS: BHEL SITE INCHARGE, BHEL SITE OFFICE, 1X800MW SDSTPS, STAGE-II, KRISHNAPATANAM**
- 11. **DELIVERY / TEST CERTIFICATES / INSPECTION:** Supplier is requested to dispatch the cables after successful inspection and after getting dispatch clearance from BHEL. Inspection will be carried out at the suppliers place.
- 12. Supplier has to submit cable DATASHEET along with the offer.
- 13. Quantity tolerance within  $\pm 5\%$  will be allowed

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14. Bidder should submit their offer with detailed specification of their product with product catalogue.
15. The offer validity should be **90 days** from the date of opening of Tender.

All the Bidders are requested to note that all the errata / technical clarifications / corrigendum / extension etc. shall be published in website <https://bheleps.buyjunction.in> [www.bhel.com](http://www.bhel.com) & <http://eprocure.gov.in> . As such, all the Bidders are requested to be in continuous touch with these websites.

### **16. 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.

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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.

**ENQUIRY NO.- ENQ:14:PS:0005:PUR:57  
PURCHASE ENQUIRY- TWO PART BID  
VOLUME 1B  
SPECIAL CONDITIONS OF CONTRACT**

**ENQUIRY DATE- 7.1.2015**

**DUE DATE- 28.01.2015**

ANNEXURE 1

**UNPRICED RATE SCHEDULE**

<b>DESCRIPTION</b>		<b>3.5C X 25 SqmmPVC insulated Aluminium armoured LT power cable</b>	<b>4 Core 16 sqmm PVC Insulated aluminium armoured LT power cable</b>
<b>QTY</b>		<b>1000M</b>	<b>1500M</b>
1	Rate / unit. (Rs)		
2	Total Basic Value		
3	Packing & Forwarding Charges (in%)		
4	ED ( in % )		
5	Cess on ED ( in % )		
6	CST/VAT/ST ( in % )without 'C' form or any other concessional forms		
7	Freight charges (in%)		
8	Transit Insurance (in %)		
9	Other Charges (in LUMP SUM) if any (ie., Octroi, Entry Tax etc).		
10	Item wise MODVAT benefit passed on to BHEL		

**Vendor Signature and Office Seal**

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**ANNEXURE 2**

**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**

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**ANNEXURE 3**

**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**

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ANNEXURE 4

Certificate By Chartered Accountant On Letter Head Of The C.A. FIRM  
TO WHOM SO EVER IT MAY CONCERN

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.1722(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 I 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.O. 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