



BHARAT HEAVY ELECTRICALS LTD

Valves/Purchase, Tiruchirappalli-620014, INDIA

SPECIAL TERMS AND CONDITIONS AND SCOPE OF SUPPLY

Enquiry Ref.:RC-SAC-006

Refer enquiry RC-SAC-006 for procurement High Torque Actuators, Accessories and Spares for BHEL. Kindly send your competitive offer immediately for our consideration. The tender will be opened positively **on due date**.

The following special terms and conditions and scope of supply will be applicable to this enquiry:

1. Kindly go through the enclosed technical specifications:
 - Actuator Technical specifications are as per VAL/ACT/AC/001 REV.06 DT: 11.01.2013.
 - Actuator packing Details -VAL_ACT_PACKING_001_REV_00 Dated 12.07.2013
2. Submit your competitive offer indicating compliance or deviation for each point of the specification.
3. Your offer shall be supported by relevant technical documents like Quality plans, catalogues, leaflet, General arrangement drawings etc... for technical evaluation and for getting customer approvals.
4. Along with the offer (Technical/Commercial bid and price bid) you are requested to indicate from whom you are going to source the components also send a typical type Test Certificate for the components from that maker. Without the type Test Certificate, your offer may not be considered for further processing's.
5. Offer for Operational spares required may be given as mentioned in the annexures. Also, offers for additional spares required if any, required for the trouble free operation, shall also be mentioned in separate annexure.
6. Those vendors who are in BHEL Product Material Directory (PMD) and covered in the existing MOU have to submit only the compliance letter to the technical MOU specifications and acceptance to the enquiry commercial conditions.
In the technical bid, vendors should indicate the offered actuator's model against each of the enquiry item. The model shall be in line with the technical MOU. If there is any deviation in model or technical data from MOU, the offered line item will be liable for rejection.
7. To those vendors who are not in BHEL Product Material Directory (PMD), the following additional conditions are applicable:
 - a) The vendors who are not in Product Material Directory (PMD) for these items and who wish to participate in the new rate contract must strictly adhere to BHEL technical requirement included in NIT conditions.
 - b) The vendors should also submit an application form through the online supplier registration portal (<https://supplier.bhel.in/>) and furnish the reference number along with the offer. However, this requirement will NOT be treated as grounds for rejection of the offer.
 - c) The vendor should meet "**Qualifying Criteria for High Torque Actuator**" with reference attached annexure 'PART-A'.
8. Quoted rates should be firm price basis. Once finalized, the rate contract will be valid for a minimum **18 months**. Hence, the quoted prices should be valid for a period of 18 months from the date of finalization of rate contract.
9. The prices shall be quoted per unit basis for each item. The vendors should quote prices as below:
For Indigenous Supplies: FOR-BHEL,Trichy & FOR-BHEL, Goindwal (Separately)
For import Supplies: CFR/CIF Chennai Sea Port as per incoterm 2010



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10. Only Manufacturers are eligible to participate in this bid. Traders & Dealers will be considered only when OEM/ Foreign principal refuses to deal directly with BHEL (and gives a letter to this effect) and insists on availing the services of an agent/ stockist/ distributor/ dealer/ trader etc.
11. The quantities indicated in the annexure are approximate only.
12. Evaluation will be done enquiry itemise for Trichy and Goindwal separately.
13. Arrival of L1 vendor in each category will be based only on the landed price at BHEL Trichy for the actuators. The prices offered for spares, accessories or price adders will not be a deciding factor in deciding L1 supplier.
14. Counter offering is applicable for the enquiry with vendors other than L1, in order to have broader vendor base for ensuring delivery within time. The L1 rates will be counter-offered to other eligible vendors as per below points:
 - i. In case there are only two qualified offers for any item, the L1 rate will be counter-offered to the L2 vendor.
 - ii. In case of more than two qualified offers for any item, the L1 rates will be counter-offered to maximum (n-1) vendors (where 'n' is the no. of techno-commercially qualified vendors) or three, whichever is lower.
 - iii. In case a lower ranked vendor does not accept the counter-offered rates, the rates may be offered to next higher ranked vendor.
 - iv. The manner of splitting of the enquiry quantity across L1 and counter-offer accepted vendors will be as per the ratios mentioned below:

Counter-offering split ratio for maximum 3 vendors for an item (including L1)					
No. of L1 vendors	No. of Counter-offer accepted L2 vendors	No. of Counter-offer accepted L3 vendors	Splitting Ratio		
1	1	1	L1:L2:L3	::	50:30:20
		0	L1:L2	::	60:40
	2	0	L1:L2:L2	::	40:30:30
	0	NA	L1	::	100
2	1		L1:L1:L2	::	40:40:20
	0		L1:L1	::	50:50
> 2	NA		Equally split to all L1		

The above loading pattern is subjected to the following modification

- a) Special provisions Micro and small enterprises (MSE) as per “General terms and conditions clause no.4”, and according to gazette notification issued by Ministry of Micro, Small and Medium enterprises and corp MM circular no. 17 dtd 24.08.2013.
- b) Maximum capacity of the vendor. Vendors are required to declare maximum quantity that can be supplied per month to BHEL, during the RC period.
- c) In case of any of the vendors not able to meet the supply requirement during the period of RC, BHEL reserve the right to divert the quantity to other vendor and modify the loading pattern to meet BHEL requirement. In case of no load sharing is applicable item can be procured from other vendor vide risk purchase clause in the General Terms and conditions.



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- d) Where all the vendors are approved for a particular project, the vendor will be chosen based on the loading pattern mentioned above. Wherever the customer has not approved all the makes, the allocation will be restricted to customer approved vendors with loading factor adjusted to available number of vendors. However, purchase will ensure that the total order value placed on each vendor shall not exceed the total value of finalized RC (FOR Trichy & FOR Goindwal).

15. BHEL reserves the right to finalize the tender either through **price bid open** or through **Reverse Auction route**. A typical copy of "Business Rules and Conditions" of Reverse Auction is enclosed herewith for information and reference.

GENERAL TERMS AND 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 ON INTERNET.

- a. For the proposed reverse auction, technically and commercially acceptable bidders only shall be eligible to participate.
 - b. 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.
 - c. BHEL will inform the vendor in writing in case of reverse auction, the details of Service Provider to enable them to contact & get trained.
 - d. Business rules like event date, time, and Start price, bid decrement, extensions etc. also will be communicated through service provider for compliance.
 - e. Vendors have to fax the Compliance form in the prescribed format (provided by Service provider) before start of Reverse auction. Without this, the vendor will not be eligible to participate in the event.
 - f. 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 vendor to enable them to fill-in the price and keep it ready for keying in during the Auction.
 - g. Reverse auction will be conducted on scheduled date & time.
 - h. At the end of Reverse Auction event, the lowest bidder value will be known on the network.
 - i. The lowest bidder has to Fax the duly signed Filled-in prescribed format as provided on case-to-case basis to BHEL through Service provider within 24 hours of Auction without fail.
 - j. Any variation between the on-line bid value and the signed document will be considered as sabotaging the tender process and will invite disqualification of vendor to conduct business with BHEL as per prevailing procedure.
16. Signed Integrity Pact (IP) should be furnished along with the offer (format enclosed). IP should be signed by authorized official of the Bidder/Vendor/Contractor. Offer without IP will not be considered.
17. This tender would be monitored by independent External Monitors (IEMs).
18. The purchase orders will be released based on our production plan periodically based on the delivery requirement in the same.
19. Prices shall be firm till entire execution of the Purchase Order. ie Price variation clause is not acceptable.
20. The delivery of the item shall be strictly as per BHEL's enquiry/ Purchase orders. In case of urgency, the delivery period has to be altered to meet BHEL's production plan.



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21. If the supply is short, the extra cost to BHEL in replenishing the short fall will be debited to the vendor.
22. Supplier's has to submit test reports for each serial no's as per our TDC conditions and packing also to be done for each item separately.
23. Every dispatch of material shall accompany the packing list, detailing the Numbers of items. An advance Copy of dispatch details shall be furnished to purchase/Valves/BHEL/Tirchy-14.
24. The materials are to be dispatched with proper packing and binding as mentioned in the packing specifications.
25. The actuators specialities like Integral starter, EPT etc. shall be plug in type/easily to add/remove at shop or site. If the vendor does not have plug in type, the fittings required for these addition/removal shall be supplied free of cost when required.
26. Services required till the first commissioning of actuator shall provide free of cost.
27. **In case of actuator complaints from project sites, service person should be deputed to site within a time period of 72hrs.**
28. **Within this Rate contact validity period, if any spare item of actuator need to be replaced at site (for the actuators supplied by BHEL,Trichy/Goindwal) and if the product is out of guarantee period, the finalized price of this rate contact shall be maintained for purchase orders placed by BHEL Site Office/region.**
29. In addition to all the above conditions, BHEL general terms & conditions given as a separate annexure shall also be applicable to the extent they are not superseded by the above conditions.
30. Non-adherence to these special conditions of enquiry and BHEL's general terms and conditions may lead to disqualification of offer.

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