

<b>This Special Conditions of Contract (SCC) format and the Instruction to Bidder (ITB) format (enclosed), form the part of Techno commercial bid format for this tender.</b> <b>These two formats duly filled in, signed and stamped should be submitted in line with clause 4 i &amp; 4 ii / A of the ITB. The same can be submitted through mail in line with clause 2 G of the ITB</b>													
(HIGHLIGHTED PART and supplier confirmations in each page to be filled in by the vendor and the document is to be submitted duly signed and stamped in sealed cover)													
<b>Enquiry No.:R6F1S30594 /SBA1</b>  <b>Enquiry Date:04.10.2019</b>					<b>NAME OF THE SUPPLIER</b>  <b>CONTACT PERSON</b>  <b>E-MAIL ID</b>  <b>PHONE NO:</b>					<b>SUPPLIER OFFER NO</b>    <b>OFFER DATE</b>			
DUE DATE FOR OPENING : 25.10.2019													
<b>GT PURCHASE - Requirements</b>										<b>SUPPLIER CONFIRMATION</b>			
										<b>REFER NOTES A,B,1, 2,3, 4,5 &amp; 6 BELOW</b>			
Enq SI no.	Purchase Requisition	ITEM	Qty	MU	Material Code	Description	Consolidat ed qty	GE PART NO/ BHEL Spec- Rev-Var / Drg no/	MAKE/ MODEL NO /GE NO. (IF APPLICABLE)	Dely date reqd at RFCL Ramagundam Project Site	Vendor confirmation to supply as per BHEL/GE spec, specified Make/ model no. as applicable (YES/NO)	HSN CODE (For Indian Vendors only)	DELIVERY PERIOD IN WEEKS FROM THE DATE OF PO
1	1900130594	10	13,860.000	L	GT9754720010	LUBE OIL FOR FR5 & FR6	13,860.000	GT54720-Var.01-Rev.01	Pls refer Specification	31.11.2019			
<p style="color: red;">Note A : The tender shall be finalized on L1 landed cost basis.</p> <p>NOTE 01: Attachments : 1. Instructions To Bidder (ITB) 2. Price bid Format 3. Non - Disclosure Aggrement 4. Specifications &amp; Drawings.</p> <p>NOTE 02 : All tests as per Spec/ Drgs are deemed as confirmed unless specific deviations are taken.</p> <p>NOTE 03: Drawings/catalogues/model no.s etc shall be enclosed with the BID by vendor.</p> <p>NOTE 04 - INCASE, BHEL SPEC/Drg no/ GE PART NO. &amp; MAKE MODEL NO. (as applicable) ARE NOT CONFIRMED , BHEL RESERVES THE RIGHT TO REJECT THE OFFER WITHOUT FURTHER CORRESPONDENCE/NOTICE</p> <p>NOTE 05 : Prices should be quoted only in the price bid format.</p> <p>NOTE 06: Against each clause of NIT, vendor has to provide their confirmation.If nothing is mentioned, it will be deemed as confirmation by vendor.</p> <p>NOTE 07: The vendor has the option to submit all Drawings / Technical Data sheets / Quality plans etc documents along with the offer. If the vendor chooses to submit these documents after receipt of Purchase order( if placed) it will be the sole responsibility of the vendor to submit the same and get BHEL approval in time to suit the Purchase order delivery.</p> <p>Any request for delivery extension on account of delay in approvals shall not be entertained.</p>													

BHEL, R.C.PURAM, HYDERABAD.  
**GT PURCHASE**  
 ENQUIRY / SPECIAL CONDITIONS OF CONTRACT (SCC)

SL No	Terms & Conditions	Supplier confirmation (YES/NO/NOTED / NA)	Deviations / Remarks (use separate sheet if reqd but clearly indicate the relevant CLAUSE
1	<p>For complete techno-commercial conditions of the tender, vendors are requested to refer to the following documents:            a) Enquiry &amp; Special Conditions of Contract (SCC). i.e., this document -- To be duly filled up by Vendor            b) Instructions To Bidder( ITB). -- To be duly filled up by Vendor</p> <p>In general, all the requirements indicated in ITB are applicable. <b>In case of any conflict between this document (SCC) &amp; ITB, this document(SCC) shall prevail upon.</b>  <b>Note:</b> a) The vendor's offer should consists of the Enquiry / Special conditions format (i.e., this document) and the ITB (enclosed) duly filled in, signed and stamped. BHEL reserves the right to reject the offers submitted in any other format. Commercial Conditions quoted in any place other than these two formats, including stated in Vendor's General Terms and conditions, if any, shall be summarily ignored and be invalid for evaluation of the Preferred Bidder.</p> <p>b) It is the sole responsibility of the vendor to understand both technical and commercial requirements of the tender before submission of two-part bid within the due date. All the clarifications (if any) regarding technical and commercial terms shall be clarified before submission of offer. Any deviations to the clauses on account of interpretations &amp; assumptions shall not be allowed. Revised price / Impact price will be allowed only in the event of change in technical / commercial conditions by BHEL. (Refer clause 4(ii)D of ITB).</p> <p>c) If a vendor is not in a position to submit the offer, a <b>REGRET letter or E-mail</b> to Purchase Officer, before the Enquiry due date, clearly indicating the reasons should be sent. <u>If the offer or a regret letter is not received it will be treated as "no response" and it will be presumed that vendor is not interested in doing business with BHEL.</u> In case, there is any change in technical / commercial requirements of the tender, only those vendors will be contacted who have submitted the offer. Those vendors who have submitted regret letter citing specific reasons, will also be contacted if the change in requirement will remove the cause for the regret.</p>		
2	<b><u>Terms of Delivery :</u></b>		
2a	<p><b><u>"CIF NIGERIA PORT (APAPA/TINCAN)"</u></b></p> <p>CIF Nigeria Seaport basis with 21 days Container Detention Free Time basis. The quoted item prices should be Inclusive of Packing &amp; Forwarding charges (if any), inland freight &amp; insurance charges from vendor works to port of export, Sea transportation and insurance charges upto Port of Discharge. <b>BHEL reserves the right to reject the offers submitted with any other Delivery Terms.</b></p>		
3	<p><b><u>Pre-Qualification Criteria:</u></b>            Suppliers are requested to go through Pre-Qualification Criteria sent along with the enquiry and provide suitable documentary evidence as proof along with offer. All the BHEL documents has to be submitted for techno-commercial evaluation and should be complete in all respects.</p>		
4	<p><b><u>Bid Submisison Procedure:</u></b></p> <p>Suppliers to note that techno-commercial and price bid are to be submitted at the same point of time.            Techno commercial offer to sent to technicalbid_hyd@bhel.in and price quote has to be sent to pricebid_hyd@bhel.in.</p> <p>BHEL is no way responsible for non-receipt of offer sent thru email due to server break down/ Internet failure/transmission error. The mail subject should contain Enquiry No, Due Date and Supplier. Supplier address including contact details shall be mentioned in the content of the mail. Without these details, offer may be liable for rejection.</p> <p>Alternately, bid can also be submitted in Person or by Post/Courier/ Speed post/ Registered post to the below mentioned address. The details like Name of the Vendor,Collective No, Due Date, Technical Bid or Price Bid, as the case may be, shall be clearly super-scribe on each cover.</p> <p>"Tenderbox,            Vendor Complex,            BHEL RC Puram,            Hyderabad,Telangana State            INDIA            Pin 502032"</p> <p>Revision of prices is not allowed at any point of time unless there is a change in scope of supply from BHEL. Offer of suppliers seeking revision in prices at later stage without change in scope of supply will be liable for rejection without further consideration.</p>		

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5	<b>Delivery Period :</b> Supplier to indicate delivery period in terms of no. of Weeks from the date of PO. Delivery is the essence of contract. BHEL reserves the right to reject offers with unsuitable delivery.		
6	<b>Project Mile Stones :</b> i) <b>Updating Project Milestones in PRADAN website:</b> Vendors to provide the milestones for project execution alongwith their quotation for review during technical scrutiny. The milestones shall be updated in "PRADAN" website <a href="http://pradan.bhelhyd.co.in/">http://pradan.bhelhyd.co.in/</a> with your vendor code (Password is also vendor code) after placement of order (In event of becoming lowest bidder) ii) <b>Updating Dispatch documents in PRADAN website-&gt;</b> (Vendor code & password) is vendor code -> Click Purchase orders -> Click the PO for which details to be uploaded -> Click on "Update dispatch details" -> Click on "dispatch now" -> Fill all the relevant Data and browse for uploading documents like AWB/Bill of Lading, Commercial Invoice, Packing list, Country of origin, etc.,		
7	<b>Partial Order :</b> i). Unless otherwise specified, the tenders shall be finalized on L1 landed cost basis on lumpsum basis. Vendor has to accept the order for such items where their offer is L1. ii). MOQ (Min order Quantity) / MOV (Min order Value) clause or indication of any additional charges based on MOQ/MOV, in the Techno Commercial / Price Bids shall not be entertained. Vendor shall take into consideration these charges and include the same in the basic price for each quoted item. Vendors should also avoid giving charges which are common for all the quoted items (For Example, Test Certificates/documentation charges etc). All the charges should be apportioned at item level and included in the basic price by vendor. In spite of this, if vendor insists for giving such charges, the entire amount shall be added to each quoted item separately for deciding the tender priority.		
8	<b>Inspection :</b> SONCAP is applicable		
9	<b>Submission of Drawings / Technical Data sheets / Quality plans etc.,</b> The vendor has the option to submit all such documents along with the offer. If the vendor chooses to submit these documents after receipt of Purchase order (if placed) it will be the sole responsibility of the vendor to submit the same and get BHEL approval in time to suit the Purchase order delivery. Any request for delivery extension on account of delay in approvals shall not be entertained.		
10	<b>Reckoning of Delivery for the purpose of Penalty:</b> Penalty shall be applicable as per Clause 12 of ITB. For the purpose of levy of penalty, delivery due date shall be reckoned as below:  <b>For CIP/CIF Offers:</b> Date of IGM (Import Goods Manifesto) is the reckoning date for the calculation of penalty.  Please provide the break up for your quoted CIF delivery schedule in following format: 1) Schedule for Ex-works readiness of material in no. of weeks from PO date: _____ weeks 2) Schedule for Bill of lading, (No of Weeks from PO date): _____ Weeks 3) Schedule for receipt of item at Nhavasheva Sea Port on "CIF Nhava sheva sea port basis" (No of Weeks from PO date): _____ Weeks  <b>Note : To be mandatorily filled up by the vendor.</b>		
11	<b>Tie of Prices :</b> In case of Tie of Prices, only the vendors, against whose offers there is a "tie", will be requested to submit revised "best prices" & "delivery period" for the item, within a stipulated time frame. Further extensions may not be permissible. In case of non-submission of revised bid, the tender shall be evaluated based on the Original offer submitted by vendors. The tender will be decided based on L1 prices & in case the "Tie of prices" continues even after revised bid submission, then the tender priority will be decided based on better "delivery period".		
12	<b>Packing:</b> Seaworthy packing to be ensured by the Supplier.		

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13	<p><b><u>::No PE Certificate for Foreign vendors::</u></b>            Please confirm to submit the NO-PE Certificate if PO is placed .Else, Please furnish the Tax withholding Certificate from the Income Tax Dept of India . This is required to make the payment to you through the BANK as per the changes in the TDS Provisions - brought out in the Indian Finance Act 2015 .Due to this the signed "No PE Certificate " document is mandatory . Format is enclosed herewith.            Kindly expedite sending the scanned copy of NO-PE Certificate . Please treat the matter important.            You may please send us the Original by courier in due course.</p> <p>A business connection in India is defined as any business activity carried out through a person who, acting on behalf of the non-resident (read "your company"),</p> <ol style="list-style-type: none"> <li>1. has power to conclude contracts on behalf of the non-resident or</li> <li>2. if he doesn't have the power, maintains stock of goods in India on behalf of the non-resident from which he delivers the goods to the non-resident's customers or</li> <li>3. secures orders in India for the non-resident.</li> </ol> <p>To clarify on the above, specific exemption is given to any activity carried out through the following in normal course of business:</p> <ol style="list-style-type: none"> <li>a. broker</li> <li>b. commission agent</li> <li>c. or any agent having independent status</li> </ol> <p>To summarise, even if your company does have any agent, broker or even Indian subsidiary who don't have the power to conclude contracts on behalf of your company, it is not a business connection. We will be glad to provide any clarification / help / advise you may need in this regard.</p>		
14	<p><b><u>Instructions for Price Bid Format:</u></b></p> <ol style="list-style-type: none"> <li>1. Only basic price should be quoted in the price bid. All other charges should have been already indicated in the Techno Commercial Bid Format : Instructions To Bidder (ITB) &amp; Special Conditions Of Contract (SCC).</li> <li>2. It is the sole responsibility of the supplier to understand the price bid format and fill the prices correctly. Any overwriting/striking of prices are not allowed.</li> <li>3. In case of discrepancy in the prices in words and figures, BHEL will consider only the price quoted in words and the bidder has to accept that price.</li> <li>4. Suitable action will be taken against the supplier as per BHEL extant guidelines, in case bid tampering is noticed.</li> </ol>		
<b>Against each clause of NIT, vendor has to provide their confirmation.If nothing is mentioned, it will be deemed as confirmation by vendor.</b>			
		Signature	
		Name	
		Stamp /Seal	