

अनुबंध | Contract



अनुबंध क्रमांक | Contract No: GEMC-511687778848524

अनुबंध तिथि | Generated Date : 24-Apr-2024

बोली/आरए/पीबीपी संख्या | Bid/RA/PBP No.: [GEM/2024/B/4658665](#)

संगठन विवरण Organisation Details	खरीदार विवरण Buyer Details
प्ररूप Type : Central PSU मंत्रालय Ministry : Ministry of Heavy Industries and Public Enterprises विभाग Department : Department of Heavy Industry संगठन का नाम Organisation Name : Bharat Heavy Electricals Limited (BHEL) कार्यालय क्षेत्र Office Zone: 10300018-PSWR	पद Designation : ENGINEER संपर्क नंबर Contact No. : 0712-1112222- ईमेल आईडी Email ID : buyer1505.bhelb.mh@gembuyer.in जीएसटीआईएन GSTIN : - पता Address : 5th and 6th Floor, Shri Mohini Complex, 345 Kingsway Road, Nagpur-440001, Maharashtra, India, NAGPUR, MAHARASHTRA-440001, India

वित्तीय स्वीकृति विवरण Financial Approval Detail	भुगतान प्राधिकरण विवरण Paying Authority Details
आईएफडी सहमति IFD Concurrence : No प्रशासनिक अनुमोदन का पदनाम Designation of Administrative Approval: Addl General Manager वित्तीय अनुमोदन का पदनाम Designation of Financial Approval : General Manager, Finance	Role: PAO भुगतान का तरीका Payment Mode: BHEL पद Designation : DYMGR6076726 ईमेल आईडी Email ID : pao34.bhelb.gj@gembuyer.in जीएसटीआईएन GSTIN : 20AAACB4146P5ZP पता Address: BHEL SITE OFFICE 3X800MW, PVUNL PATRATU DIST- RAMGARH, (JHARKHAND) PIN-829119, Hazaribag, JHARKHAND-829119, India भुगतान समयसीमा Payment Timelines: Payments shall be made to the seller within 90 days of issue of consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10-days time as provided in clause 12 of GeM GTC)

विक्रेता विवरण Seller Details
जेम विक्रेता आईडी GeM Seller ID : 1JB0200001887026 कंपनी का नाम Company Name : GENIUS INDUSTRIES LIMITED संपर्क नंबर Contact No. : 09015418289 ईमेल आईडी Email ID : akshayjain@geniusindia.com पता Address : 74,ARIHANT NAGAR,WEST PUNJABI BAGH , WEST DELHI, DELHI-110026, West Delhi, DELHI-110026, - एमएसएमई सत्यापित MSME verified : No एमएसएमई पंजीकरण संख्या MSME Registration number : UDYAM-HR-05-0022009 एमएसई सामाजिक श्रेणी MSE Social Category : General एमएसई लिंग श्रेणी MSE Gender : Male जीएसटीआईएन GSTIN: 07AAACG4401G2Z4 (R) , 06AAACG4401G1Z7 (M)

*जिसके नाम के पक्ष में GST/TAX इनवॉइस पेश किया जाएगा | GST / Tax invoice to be raised in the name of - Consignee

वितरण निर्देश | Delivery Instructions : NA

उत्पाद विवरण Product Details						
#	आइटम विवरण Item Description	आइटम विवरण Ordered Quantity	इकाई Unit	इकाई मूल्य (INR) Unit Price (INR)	कर विभाजन (INR) Tax Bifurcation (INR)	मूल्य (INR में सभी शुल्क और कर सहित) Price (Inclusive of all Duties and Taxes in INR)
1	उत्पाद का नाम Product Name : 500W LED FLOOD LIGHT ब्रांड Brand : GENIUS INDUSTRIES LIMITED ब्रांड प्रकार Brand Type : Registered Brand कैटलॉग की स्थिति Catalogue Status: Catalogue not verified by OEM कैसे बेचा जा रहा है Selling As : Reseller not verified by OEM श्रेणी का नाम और चतुर्थांश Category Name & Quadrant : 500W LED FLOOD LIGHT (Q3) मॉडल Model: GIL-FL-500W एचएसएन कोड HSN Code: HSN not specified by seller	250	pieces	5,300	NA	1,325,000
कुल ऑर्डर मूल्य Total Order Value (in INR)						1,325,000

परेषिती विवरण Consignee Detail						
क्र.सं. S.No	परेषिती Consignee	वस्तु Item	लॉट नंबर Lot No.	मात्रा Quantity	दिनांक के बाद डिलीवरी शुरू करना है	वितरण पूरा कब तक करना है Delivery To Be

					Delivery Start After	Completed By
1	पद Designation :- ईमेल आईडी Email ID : buycon892.bhelb.jh@gembuyer.in संपर्क Contact : 942-5178217- जीएसटीआईएन GSTIN : 20AAACB4146P5ZP पता Address : BHEL SITE OFFICE 3X800MW, PVUNL PATRATU DIST- RAMGARH, (JHARKHAND) PIN-829119, RAMGARH, JHARKHAND-829119, India	500W LED FLOOD LIGHT	-	250	24-Apr-2024	23-Jun-2024
Product Specification for 500W LED FLOOD LIGHT						
विनिर्देश Specification		उप-विनिर्देश Sub-Spec			मूल्य Value	
Custom Specification		Custom Specification			Yes	
विक्रेता विशिष्टता दस्तावेज़ Seller Specification Document:						
1. SpecificationDocument1		mkp.gem.gov.in/catalog_data/catalog_support_document/40/23/256/CatalogAttrs/SpecificationDocument/2023/10/31/2023_10_31_15_22_41_400w_fl_specs_2023-10-31-15-22-43_cf8bf3a206dd07708171e54a284d32de.pdf				
खरीदार विशिष्टता दस्तावेज़ Buyer Specification Document:						
1. SpecificationDocument		mkp.gem.gov.in/catalog_data/catalog_support_document/buyer_documents/9471977/54/78/703/CatalogAttrs/SpecificationDocument/2024/2/19/technical_specification_2024-02-19-12-17-21_1eece6dd72e629e078ae9d57b69aab96.pdf				
शुद्धिपत्र Corrigendum						
1. तक बढ़ाया गया Extended Upto : 2024-03-11 14:00:00						
2. GeM-Bidding-Corr-6087740-3.pdf : यहां क्लिक करें click here						
ईपीबीजी विवरण ePBG Detail						
सलाहकार बैंक Advisory Bank :				State Bank of India		
ईपीबीजी प्रतिशत (%) ePBG Percentage(%):				5.00		
बोली लगाने वाले को बोली के नियमों और शर्तों के अनुसार लागू ईपीबीजी प्रस्तुत करना होगा The bidder shall furnish ePBG as applicable as per bid's terms and conditions						
नियम और शर्तें Terms and Conditions						
1. General Terms and Conditions-						
1.1 This contract is governed by the General Terms and Conditions , conditions stipulated to this Product/Service as provided in the Marketplace.						
1.2 This Contract between the Seller and the Buyer, is for the supply of the Goods and/ or Services, detailed in the schedule above, in accordance with the General Terms and Conditions (GTC) unless otherwise superseded by Goods / Services specific Special Terms and Conditions (STC) and/ or BID/Reverse Auction Additional Terms and Conditions (ATC), as applicable						
2. Buyer Added Bid Specific Terms and Conditions-						
2.1 <i>Buyer Added Bid Specific ATC:</i>						
Buyer Added text based ATC clauses						
Supply of 250 Nos LED Fixtures for High Mast						
1. Delivery Terms: Suppliers shall quote the rates on F.O.R. Destination Basis only. Offers other than F.O.R. Destination Basis will not be accepted by BHEL.						
2. Delivery Schedule: 60 days (Refer Technical Specification for details).						
Consignees/Reporting Officer and Quantity as follows:						
Sl. No.	Consignee/Reporting Officer	Address				
1.	Construction Manager	Bharat Heavy Electricals Limited (BHEL) Site Office 3X800 MW PVUNL Patratu Project Dist - Ramgarh, Jharkahnd-829 119 GST No.: 20AAACB4146P5ZP				

3. **Transit Insurance:** Transit Insurance from supplier's works/warehouse to BHEL Project stores shall be in the scope of supplier.
4. **Unloading of material at Destination:** In BHEL's scope
5. **Earnest Money Deposit (EMD):** Not Applicable (as per Amendment No 04, Purchase Policy-2013-Sub Clause No 5A.1)
6. **Performance Bank Guarantee (PBG/ePBG):** Applicable @5% (Restricted to 5% as per GeM System). Total Period for PBG shall be 23 Months.
7. **Warranty/ Guarantee:** As per Technical Specification/TCC.
8. **MSE Purchase Preference:** Applicable as per GeM T&C.
9. **Reserved for Make In India products (Make in India):** Applicable, This bid is reserved for Class I, Local supplier. Minimum 50% Local Content required for MII compliance as per GeM GTC.
10. **Pre-Qualification Criteria (PQR):** Following shall be applicable:

11. **a) Technical PQR**

Bidder shall essentially meet all the Qualifying Requirements cited below: -

- i) Bidder should be a manufacturer or authorized dealer of LED Fixture.
- ii) Bidders should have supplied at least 50 numbers for 500 W of higher rating any Power Plant or other project or any other industry in last Ten (10) years as on the latest date of submission of tender.

Note: Bidder should submit PO copy as a proof of supply/experience as per PQR which shall be cross verified from the end user. In case PO couldn't be verified, bid shall be treated as incomplete and shall be liable to be rejected during evaluation.

12. **b) Financial PQR:**

Bidders must have achieved an average annual financial turnover (Audited) of Rs. 13.0 Lac or more, over the last three Financial Years (FY) i.e. FY 2020-21 2021-2022 & 2022-23.

Audited Financial documents of FY 2020-21 2021-2022 & 2022-23 shall be furnished in support of Turnover and this requirement shall supersede other Turnover parameters cited elsewhere. If financial statements are not required to be audited statutorily, then instead of audited financial statements, financial statements are required to be certified by Chartered Accountant. In case of audited Financial statements have not been submitted for all the three years as indicated against Financial Turnover QR (Qualifying requirement) above, then the applicable audited statements submitted by the bidders against the requisite three years, will be averaged for three years i.e. total divided by three.

Note: In case, 2022-23 audited annual financial turnover not available with bidder, then, FY 2019-20, 2020-21 & 2021-22 shall be considered for evaluation purposes.

Relaxation in Pre-Qualifying Requirement (PQR) for Micro and Small Enterprises (MSE's) and Start-ups

- i) Financial Pre Qualifying Requirement (PQR) including Turnover: The financial pre-qualifying requirements is relaxed by 50% of the original Pre -Qualifying Requirement specified in the tender.
- ii) Other Pre-Qualifying requirements such as Machineries, BIS, or any form of licenses or customer approval or requirements other than stated in Point No. (B) above, shall remain the same for all bidders.
- iii) Definition of Start-up shall be in line with Gazette Notification No DL 33004/99 dated 19.02.2019 and subsequent amendments, if any.

13. **Breach of Contract, Remedies and Termination:**

In case of Breach of Contract, BHEL shall recover 10% of the contract value from the vendor using following instruments:

- a) encashment of security instruments like EMD, performance security available with BHEL against the said contract.
- b) Balance amount (if value of security instruments is less than 10% of the contract value) from other financial remedies i.e. available bills of the vendor, retention amount etc. with BHEL.
- c) Balance amount from security instrument like EMD, Performance Security and other financial remedies i.e. available bills of the vendor, retention amount etc. with other units of BHEL.
- d) If Recovery is not possible then Legal Remedies shall be pursued.

14. **Payment Terms:**

A. Following payment term shall be applicable in supersession of the payment terms provided elsewhere in GeM Bid:

-Income Tax and GST TDS shall be deducted at source from the bills as per applicable rules and other statutory requirements from time to time.

-No advance payment will be paid under any circumstances. (NEFT format shall be enclosed along with the bill). For payment purposes NEFT format duly verified by concerned bank official & cancelled cheque may be submitted along with the first bill.

-100% of order value (excluding GST) shall be released within 45/60/90 days against receipt and acceptance of material at site and submission of following documents: -

Type of Bidder	Payment Timelines	Payment Terms (Number of days)
Micro & Small Enterprises	Payments shall be made to the Seller within 45 days of issue of consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10 days' time as provided in clause 12 of GeM GTC)	45 days
Medium Enterprises	Payments shall be made to the Seller within 60 days of issue of consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10 days' time as provided in clause 12 of GeM GTC)	60 days
Non MSME	Payments shall be made to the Seller within 90 days of issue of consignee receipt-cum-acceptance certificate (CRAC) and on-line submission of bills (This is in supersession of 10 days' time as provided in clause 12 of GeM GTC)	90 days

Proof of Micro, Small and Medium Enterprises has to be furnished by bidder. If no relevant document has been submitted by bidders, payment terms of non MSME shall be applicable.

B. Documents required for payment of Supply: - Payment terms as mentioned above shall be applicable with submission of following documents:

- GST Compliant Invoice (1 Original + 2 copies)
- Inspection Test Reports duly signed by Supplier's & BHEL Representatives
- Warranty Certificate for Suppliers
- Store Receipt Voucher issued by BHEL Site

Applicable GST (on 100% F.O.R value) shall be released upon compliance of following documents:

- Vendor declaring such Invoice in their GSTR-1
- Confirmation of payment of GST thereon by vendor by submitting acknowledgement/copy of GSTR-3
- Aforesaid GST payment is subject to receipt of goods and tax invoice by BHEL thereof.

ii) Paying Authority and invoices shall be addressed to:

Construction Manager,
Bharat Heavy Electricals Limited (BHEL) Site Office
3X800 MW PVUNL Patratu Project
Dist - Ramgarh, Jharkhand-829 119
GST No.: 20AAACB4146P5ZP

iii) Delivery Destination: The Destination address is as below:

Sold to Party & Ship to Party

Construction Manager,
Bharat Heavy Electricals Limited (BHEL) Site Office
3X800 MW PVUNL Patratu Project
Dist - Ramgarh, Jharkhand-829 119

15. **Liquidated Damages/Penalty:** As per GeM GTC.
16. **Reverse auction:** Price shall be opened through Bid to RA methodology (Elimination of H1 Bidder) on GeM portal as per extant guidelines of GeM (as per GeM General Terms and Conditions)
17. **Inspection Requirement:** Applicable as per Technical Specification/TCC.
18. **Integrity Pact:** Not Applicable
19. **Ordered Quantity Variation:** $\pm 25\%$
20. **Conflict of Interest among Bidders/ Agents:** A bidder shall not have conflict of interest with other bidders. Such conflict of interest can lead to anti-competitive practices to the detriment of Procuring Entity's interests. The bidder found to have a conflict of interest shall be disqualified. A bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if:
- a) they have controlling partner (s) in common; or
 - b) they receive or have received any direct or indirect subsidy/ financial stake from any of them;
 - or
 - c) they have the same legal representative/agent for purposes of this bid; or
 - d) they have relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the bid of another Bidder or
 - e) Bidder participates in more than one bid in this bidding process. Participation by a Bidder in more than one Bid will result in the disqualification of all bids in which the parties are involved. However, this does not limit the inclusion of the components/ sub-assembly/ Assemblies from one bidding manufacturer in more than one bid; or
 - f) In cases of agents quoting in offshore procurements, on behalf of their principal manufacturers, one agent cannot represent two manufacturers or quote on their behalf in a particular tender enquiry. One manufacturer can also authorize only one agent/dealer. There can be only one bid from the following:
 - i) The principal manufacturer directly or through one Indian agent on his behalf; and
 - ii) Indian/foreign agent on behalf of only one principal;
 - or
 - g) A Bidder or any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the Bid; or
 - h) In case of a holding company having more than one independently manufacturing units, or more than one unit having common business ownership/management, only one unit should quote. Similar restrictions would apply to closely related sister companies. Bidders must proactively declare such sister/ common business/ management units in same/ similar line of business.
21. **Customer Approval:** Not Applicable
22. **Other T&C:** All other T&C as per NIT, TCC
23. **Documents to be submitted by the vendor along with GeM Bid:**
- a) Signed Copy of Local Content/ Make in India Declaration (MII)
 - b) Signed Copy of Land Border Restrictions
 - c) Signed Copy of No Deviation Certificate
 - d) Signed Copy of No Liquidation/ Bankruptcy Declaration
 - e) Copy of Udyam Certificate (if Applicable)
 - f) Signed Copy of Prevention of Cartel Formation Declaration
 - g) Signed Copy of Non-Disclosure Certificate
 - h) Proof of EMD remittance for this Bid
 - i) PAN Copy
 - j) GST Copy
 - k) Cancelled Cheque/ NEFT RTGS Mandate duly signed by Banker
 - l) Profit & Loss Statement with UDIN of approved authority
 - m) Signed Copy of Technical Specification/ TCC
 - n) Signed Copy of GeM Bid
 - o) Test Certificates (if applicable)

p) Previous PO Copy in support of Experience (submitted document shall be cross verified with end user and if not qualified, bid shall be treated as incomplete and liable to be rejected during evaluation)

It is important to note that, without submission of abovementioned documents as per SI No (23), bidder may be rejected after evaluation.

Bidders are requested to read the contract documents carefully. In case of any difficulty during submission of tender, bidders are requested to contact the following officials:

Pratick Mondal, Engineer (Purchase)-Mobile No: 9422326481

Naresh Ch Sharma, Manager (Purchase)-Mobile No: 9911170053

1. **Corrigendum-01-in TCC (Technical Specification)**

1. In Normal AC Lighting System): 3 (three) Phase shall be read as Single Phase.

2. The wire size shall be 1.5 Sq. mm

2.2 *Buyer Added Bid Specific ATC:*

Buyer uploaded ATC document [Click here to view the file](#).

2.3 *Generic*

Actual delivery (and Installation & Commissioning (if covered in scope of supply)) is to be done at following address

Construction Manager
Bharat Heavy Electricals Limited
Patratu Site Office,
3X800 MW PVUNL Patratu Project
Dist - Ramgarh, Jharkhand-829 119

2.4 *Generic*

Bidder financial standing: The bidder should not be under liquidation, court receivership or similar proceedings, should not be bankrupt. Bidder to upload undertaking to this effect with bid.

2.5 *Generic*

Bidders are advised to check applicable GST on their own before quoting. Buyer will not take any responsibility in this regards. GST reimbursement will be as per actuals or as per applicable rates (whichever is lower), subject to the maximum of quoted GST %.

2.6 *Generic*

Bidder shall submit the following documents along with their bid for Vendor Code Creation:

- a. Copy of PAN Card.
- b. Copy of GSTIN.
- c. Copy of Cancelled Cheque.
- d. Copy of EFT Mandate duly certified by Bank.

2.7 *Generic*

OPTION CLAUSE: The Purchaser reserves the right to increase or decrease the quantity to be ordered up to 25 percent of bid quantity at the time of placement of contract. The purchaser also reserves the right to increase the ordered quantity by up to 25% of the contracted quantity during the currency of the contract at the contracted rates. Bidders are bound to accept the orders accordingly.

2.8 *Generic*

Supplier shall ensure that the Invoice is raised in the name of Consignee with GSTIN of Consignee only.

2.9 *Generic*

While generating invoice in GeM portal, the seller must upload scanned copy of GST invoice and the screenshot of GST portal confirming payment of GST.

2.10 *Inspection*

Nominated Inspection Agency: On behalf of the Buyer organization, any one of the following Inspection Agency would be conducting inspection of stores before acceptance: Pre-dispatch Inspection at Seller Premises (applicable only if pre-dispatch inspection clause has been selected in ATC):

TPIA/BHEL

Post Receipt Inspection at consignee site before acceptance of stores:

At Project Site

2.11 *Forms of EMD and PBG:*

Successful Bidder can submit the Performance Security in the form of Account Payee Demand Draft also (besides PBG which is allowed as per GeM GTC). DD should be made in favour of

Bharat Heavy Electricals Limited
payable at
Nagpur

. After award of contract, Successful Bidder can upload scanned copy of the DD in place of PBG and has to ensure delivery of hard copy to the original DD to the Buyer within 15 days of award of contract.

2.12 Forms of EMD and PBG:

Successful Bidder can submit the Performance Security in the form of Payment online through RTGS / internet banking also (besides PBG which is allowed as per GeM GTC). On-line payment shall be in Beneficiary name

Bharat Heavy Electricals Limited

Account No.

40227423158

IFSC Code

SBIN000432

Bank Name

State Bank of India

Branch address

SBI Kingsway, Branch Code-00432, Nagpur

. Successful Bidder to indicate Contract number and name of Seller entity in the transaction details field at the time of on-line transfer. Bidder has to upload scanned copy / proof of the Online Payment Transfer in place of PBG within 15 days of award of contract.

2.13 Forms of EMD and PBG:

Successful Bidder can submit the Performance Security in the form of Fixed Deposit Receipt also (besides PBG which is allowed as per GeM GTC). FDR should be made out or pledged in the name of

Bharat Heavy Electricals Limited

A/C (Name of the Seller). The bank should certify on it that the deposit can be withdrawn only on the demand or with the sanction of the pledgee. For release of Security Deposit, the FDR will be released in favour of bidder by the Buyer after making endorsement on the back of the FDR duly signed and stamped along with covering letter. Successful Bidder has to upload scanned copy of the FDR document in place of PBG and has to ensure delivery of hard copy of Original FDR to the Buyer within 15 days of award of contract.

2.14 Scope of Supply:

Scope of supply (Bid price to include all cost components) : Only supply of Goods

नोट: यह सिस्टम जनरेटेड फाइल है। कोई हस्ताक्षर की आवश्यकता नहीं है। इस दस्तावेज़ का प्रिंट आउट भुगतान/लेनदेन उद्देश्य के लिए मान्य नहीं है।

Note: This is system generated file. No signature is required. Print out of this document is not valid for payment/ transaction purpose.